

February 28, 2011

APPROVED BY

FROM: KEVIN FABINO, Planning Manager  
Secretary, Historic Preservation Commission

BY: KARANA HATTERSLEY-DRAYTON  
Historic Preservation Project Manager

SUBJECT: REVIEW AND APPROVE STABILIZATION AND MOTHBALLING PLAN FOR THE  
HELM HOME (HP#112) LOCATED AT 1749 L STREET.

1. Review and Approve Stabilization and Mothballing Plan of the Helm Home Pursuant to FMC 12-1606(a)(2)
2. Make Determination that the Work Necessary to Stabilize the Helm Home, as Described in the Stabilization and Mothballing Plan is Categorically Exempt Pursuant to CEQA Guidelines, Sections 15301 and 15331 (FMC 12-1617(c))
3. Approve the Issuance of Necessary Permits to Perform the Scope of Work Set Forth in the Stabilization and Mothballing Plan, Including Demolition of the 2<sup>nd</sup> Floor Post-1906 Addition to the Rear Elevation.

## RECOMMENDATION

Staff recommends that the Historic Preservation Commission:

1. Approve the Stabilization and Mothballing Plan for the Helm Home;
2. Determine that the Plan as presented is in compliance with the Restoration Protocol of the Secretary of Interior's Guidelines and thus qualifies as categorically exempt pursuant to Section 15331 of the CEQA Guidelines and also qualifies for a categorical exemption under Section 15301, as an existing facility;
3. Designate staff to review and sign any permits that are required to perform the scope of work as submitted, including the demolition of the second story (post-1901) addition to the rear elevation of the home.

## EXECUTIVE SUMMARY

The Housing Authorities of the City and County of Fresno ("HACCF") has submitted a "Proposed Stabilization and Mothballing Plan" for the Helm Home (HP#112), located at 1749 L Street on the northwest corner of L and Amador Streets (Exhibit A). The 2-story residence is one of the few Mission Revival style homes in Fresno and was constructed in 1901 by William Helm for one of his seven sons, Frank Helm, by the McDougall Brothers Architects. The Helm Home has been vacant for several years and has numerous code violations which culminated in a Notice and Order under the Dangerous Building Ordinance filed by the City on July 28, 2009. The Housing Authorities purchased the property in March 2010 and has since met to discuss the property with the Historic Preservation Commission at public meetings held April 26, May 24 and June 28<sup>th</sup> 2010.

The Housing Authorities proposes to stabilize and mothball the Helm Home using the Restoration Protocol of the *Secretary of the Interior's Standards for the Treatment of Historic Properties* with additional guidance from "*Preservation Brief 31: Mothballing Historic Buildings*." The intent is to restore the property to its 1901 Period of Significance by reinforcing the structural integrity of the

building including removal of the 2<sup>nd</sup> story addition on the rear of the home which is causing the first story relieving arches to fail. Use of the "Standards" qualifies the project as categorically exempt under CEQA. Additionally, approval of the submitted Plan by the Historic Preservation Commission will allow staff to review and sign permits required to perform the scope of work, without the need to reconvene special meetings of the Commission.

## BACKGROUND

The Helm Home (aka the "Alamo House") was constructed in 1901 and was designed by McDougall Brothers Architects. The Helm family were early Fresno pioneers; William Helm, built houses for each of his seven children including this property for his son Frank. Although depicted in M. Theo Kearney's Fresno County California and the Evolution of the Fruit Vale Estate as a "typical residence," in fact this Mission Revival style home was anything but typical for the era. The Mission Revival, a style of architecture which adapted elements from the California missions of the 18<sup>th</sup> and early 19<sup>th</sup> centuries, was rarely used in Fresno for residential building. More common was its use for commercial and industrial buildings, such as the Santa Fe Depot. In addition, the home with its magnificent wood paneled entryway was clearly designed for a family of more considerable means.

The home was designated a historic resource by action of the Fresno City Council on March 4, 1980 for its association with the Helm family and architecturally as an example of the Mission Revival. The building has been vacant for several years and has deteriorated due to water intrusion and neglect.

When constructed, the 2-story home had an expansive one-story deck on the rear of the building, which is evident from both the 1906 Sanborn Fire Insurance Map (Exhibit B) as well as the existence of wood balcony railing. In 1912 a permit for "alterations and dwelling" valued at \$450 was granted to a local contractor, W.H. Ackerman. It is unclear what the work entailed although by the 1918 Sanborn Fire Insurance Map a second story "frame" addition had been added to the rear of the home over the deck (Exhibit C). By 1948 the Sanborn indicated that the Helm Home was used for "boarding;" apparently it served as chaperoned housing for women who worked downtown in offices or at the courthouse. The home was one of several properties purchased in 2003 by One by One Leadership Foundation who used the building, temporarily, for classes.

The property was purchased on March 30, 2010 by the Housing Authorities of the City and County of Fresno. Housing staff presented a verbal report on their plans for the property at the April 26, 2010 meeting of the Historic Preservation Commission. On May 24, 2010, upon request of the Commission, the Housing Authorities presented a written conceptual plan for three historic properties on L Street and San Joaquin including an outline only for a stabilization plan for the Helm Home. By the June 29, 2011 meeting of the Commission, Granville Homes was in a contract with the Housing Authorities to purchase the Helm Home. As a consequence the developer commissioned and submitted numerous technical reports including a pest and asbestos survey. Their report on the Helm Home was lacking, however, in specifics as to how the "critical concerns" identified with the restoration would be addressed. Darius Assemi of Granville Homes reported to the Commission that it was the intent of the developer to provide a more thorough stabilization plan for the building by October, 2010. Granville Homes, however, has since pulled out of their contract with the Housing Authorities who thereafter hired The Vincent Company Architects, Inc. to prepare the Plan as presented at tonight's meeting.

### **Proposed Stabilization and Mothballing Plan**

On February 22, 2010 Preservation Architect Scott Vincent presented a "Proposed Stabilization and Mothballing Plan" to City staff, on behalf of the property owner, the Housing Authorities. The Plan includes several steps or tasks that are necessary to stabilize the property and prevent further deterioration (Exhibit D):

- 1) The second story addition to the rear of the building, constructed prior to 1918 which encloses the former sun deck, will be removed, the balcony railings will be repaired, a waterproof membrane will be placed over the decking once it is repaired and former original doors and a window that were removed will be replaced.
- 2) The Plan also proposes the removal of walls that were added as infill on the northern elevation. At some point an open colonnaded porch was filled in, in order to make an additional room. Removal of the exterior infill will fully reveal and restore the arches. The architect, however, questions whether this work should proceed now or wait until the final tenant improvement occurs, as this may allow potentially easier access to vagrants. The Commission should consider this question and timeline.
- 3) The cantilevered bay window off the northeast corner of the façade will be reconstructed and structurally reinforced with a steel frame.
- 4) The exterior brick façade wall will be repaired and stabilized.
- 5) The decorative balconet on the façade will be repaired and replaced (the wrought iron work is stored in the home and is in excellent condition).
- 6) Once the 2<sup>nd</sup> floor addition on the rear elevation is removed the existing brick arch will be removed, reconstructed and replaced.
- 7) Roof flashings and downspouts will be repaired.
- 8) Deferred landscape maintenance will occur and overgrown trees and shrubs will be trimmed by a certified arborist.
- 9) Finally, the home will be better secured by the application of plywood over the exterior of the existing windows.

### **Secretary of Interior's Standards: FMC 12-1617(h)(1)**

Pursuant to FMC 12-1617(h)(1) as a listed historic building any changes or modifications to the Helm Home must "be consistent with ... the Secretary of Interior's Standards" and not be detrimental "to the special historical, architectural or aesthetic interest or value of the Historic Resource."

*The Secretary of the Interior's Standards for the Treatment of Historic Properties* ...are the Secretary's best advice on "how to protect a wide range of historic properties." The Standards include four treatment approaches: Preservation, Rehabilitation, Restoration and Reconstruction.

The Stabilization and Mothballing Plan for the Helm Home, as presented, represents the Restoration protocol which "focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods" (Introduction, Standards). Restoration not only allows for the removal of features from other periods in history but also provides for the reconstruction of missing features from the restoration period. In addition, "The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project" (Standards, Restoring) (Exhibit E). "Mothballing" incidentally, refers to the process of closing a building and protecting it from weather and vandalism, until such time as funds are available to fully restore a building for use (*NPS Preservation Brief 31*). The Stabilization and Mothballing Plan will return the Helm Home to its 1901 period of significance by removing the post-1901 2<sup>nd</sup> story over the outside sundeck as well as the (eventual) removal of infill walls on the northern elevation next to the *porte cochere*. Other original elements of this Mission Revival style home such as the cantilevered bay window and the decorative façade balconet will also be faithfully restored and the property will be secured until there is adequate funding to fully restore it.

#### **CEQA and Section 12-1617 of the Historic Preservation Ordinance**

Section 12-1617 of the Fresno Municipal Code provides guidance and direction to both staff and Commissioners on permits and reviews for designated historic properties. On a regular basis staff invoke Section 12-1617(b) which authorizes the Historic Preservation Specialist (now Project Manager) to approve non-substantial alterations to a Historic Resource. Such alterations include roof repairs and replacement, interior upgrades, and non-intrusive work. Environmental review in accordance with the California Environmental Quality Act (CEQA) is required "for applications or proposals to demolish, grade, remove or substantially alter the Historic Resource" (12-1617(c)). Pursuant to CEQA Guidelines CCR Title 14 Chapter 3, Article 19, a project is categorically exempt from further CEQA review if it is a project using the *Secretary of the Interior's Standards for the Treatment of Historic Properties...* The Stabilization Plan as presented follows the Restoration Treatment and thus qualifies as a Categorical Exemption under Class 31 (CEQA 15331). In addition, Categorical Exemption Class 1(15301) for "existing facilities" also applies to the Stabilization Plan for the Helm Home (Exhibit F).

- Attachments:
- Exhibit A - Aerial Photograph (2008)
  - Exhibit B - 1906 Sanborn Fire Insurance Map
  - Exhibit C - 1918 Sanborn Fire Insurance Map
  - Exhibit D - *Proposed Stabilization and Mothballing Plan, The Helm Home 1749 "L" Street, Fresno*, Prepared and Submitted on 22 February 2011 by The Vincent Company Architects, Inc.
  - Exhibit E - Excerpt from *The Secretary of the Interior's Standards.... Restoration*
  - Exhibit F - Categorical Exemption for the Stabilization and Mothballing Of the Helm Home (HP#112)



Aerial Photograph (2008)  
Helm Home (HP#112, 1901)  
1749 L Street

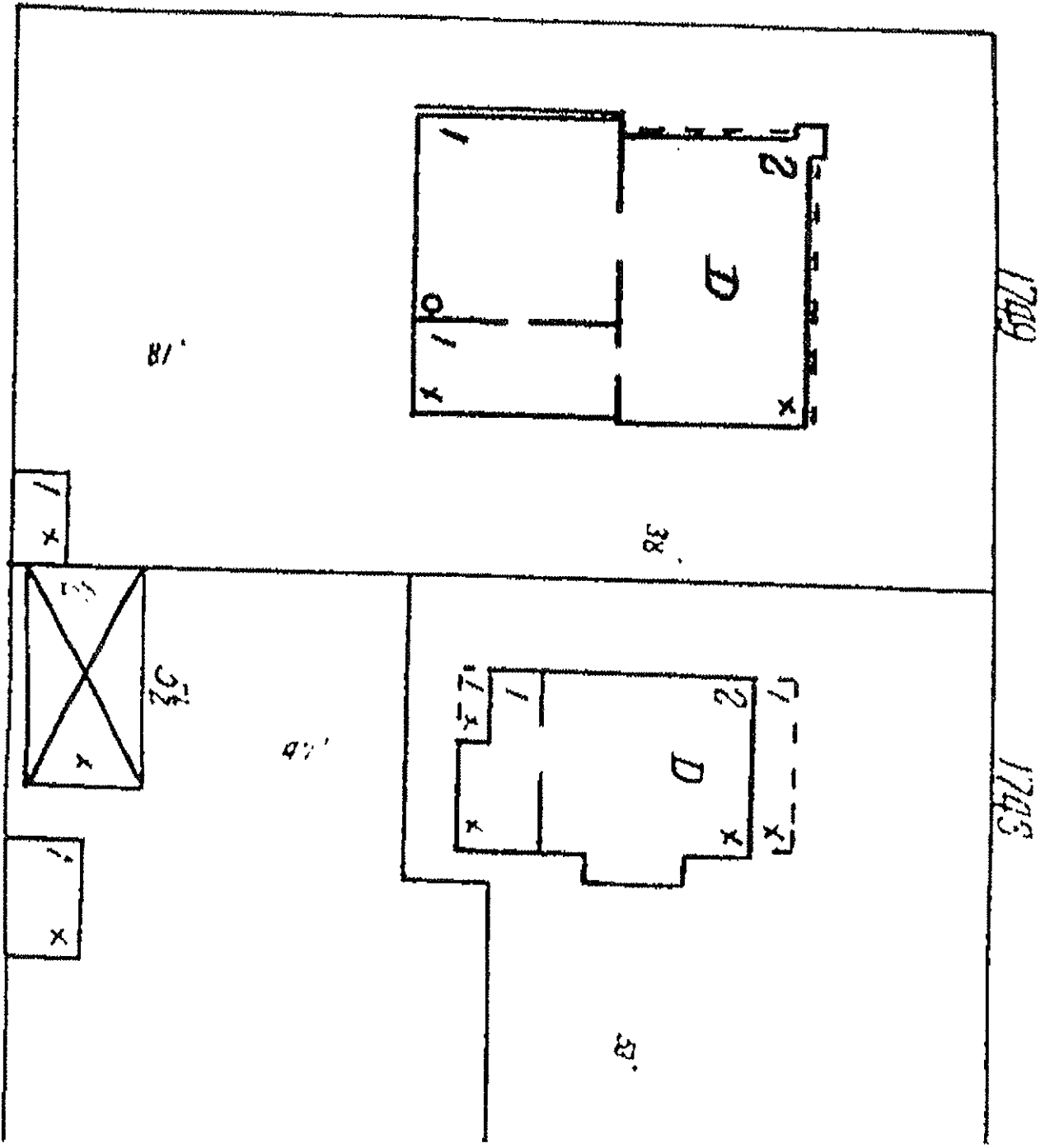


1906 Harbor

80'

9" 11" 11" 11"

11" 11" 11"

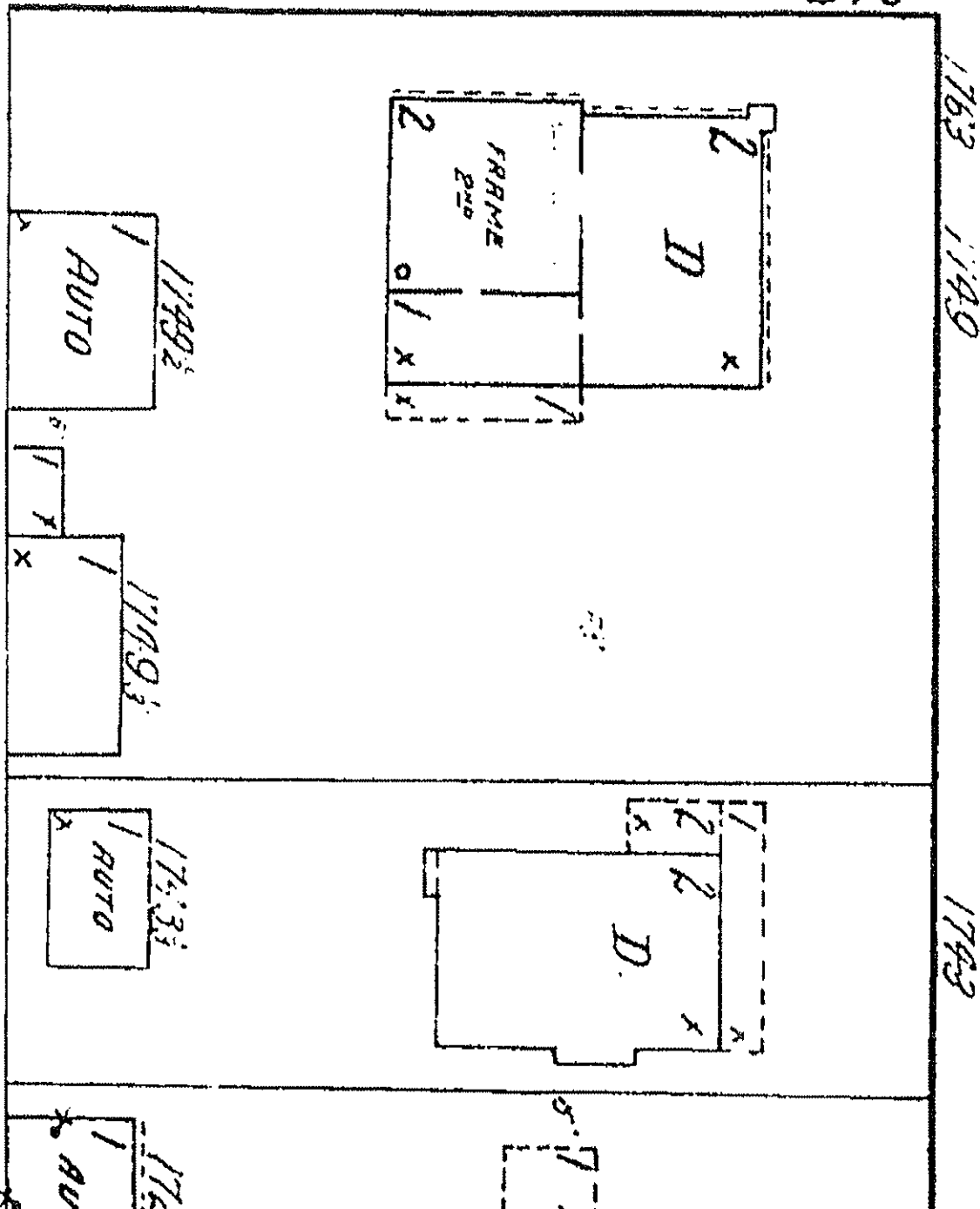


1918 Sanborn

ADOR

DH

4" W. PIPE





# PROPOSED STABILIZATION AND MOTHBALLING PLAN

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T H E  
VINCENT  
COMPANY  
ARCHITECTS, INC.



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## THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA

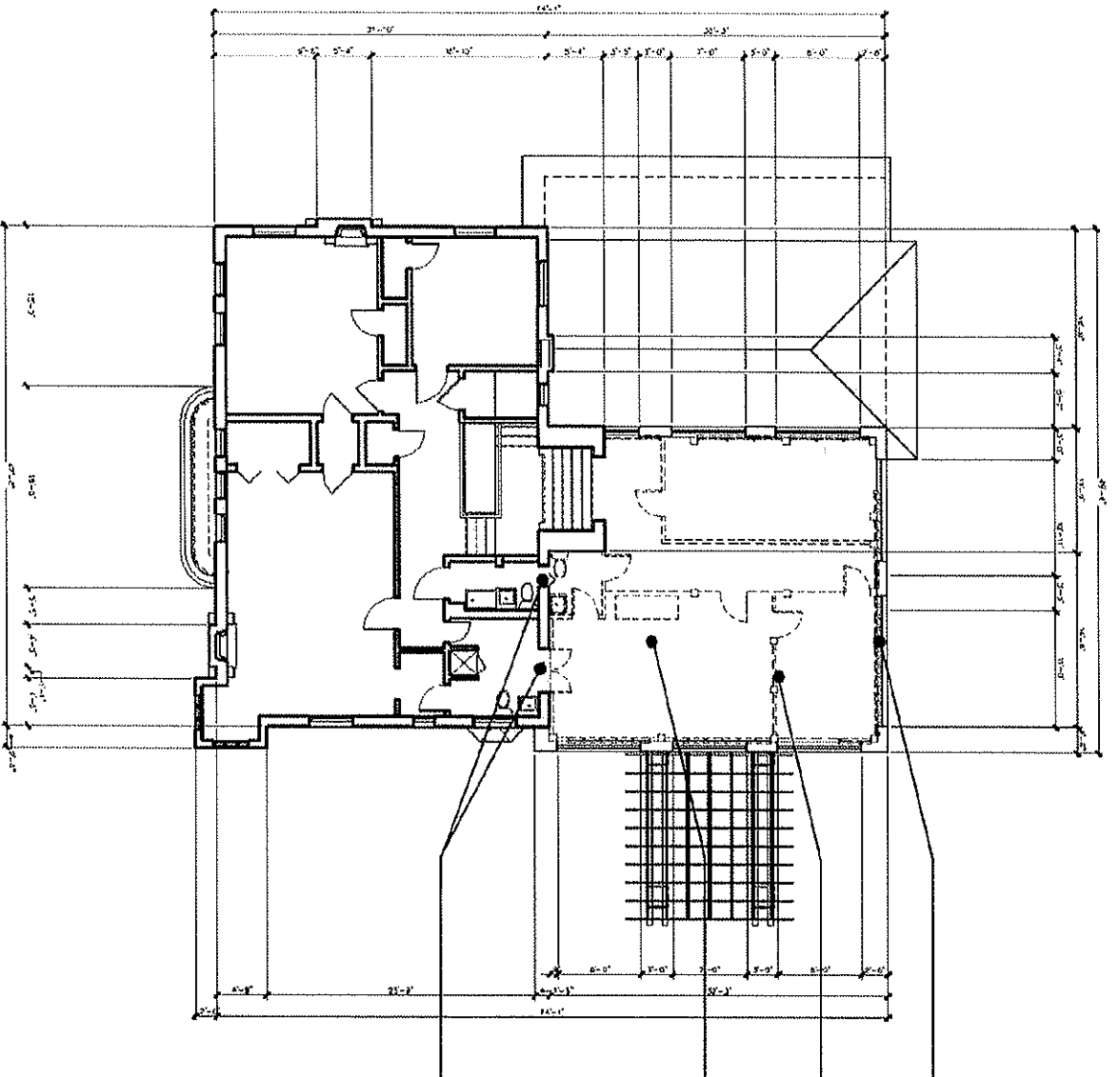


# ITEM I: DEMOLITION OF ADDITIONS

THE  
VINCENT  
COMPANY  
ARCHITECTS, INC.

## THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA



REPAIR EXISTING WOOD  
BALCONY RAILINGS

REMOVE WALLS/ ROOF OF  
2ND FLOOR ADDITION

INSTALL WATERPROOF  
MEMBRANE AT EXPOSED  
DECKING AFTER REPAIRS

RESTORE EXISTING  
EXTERIOR OPENINGS

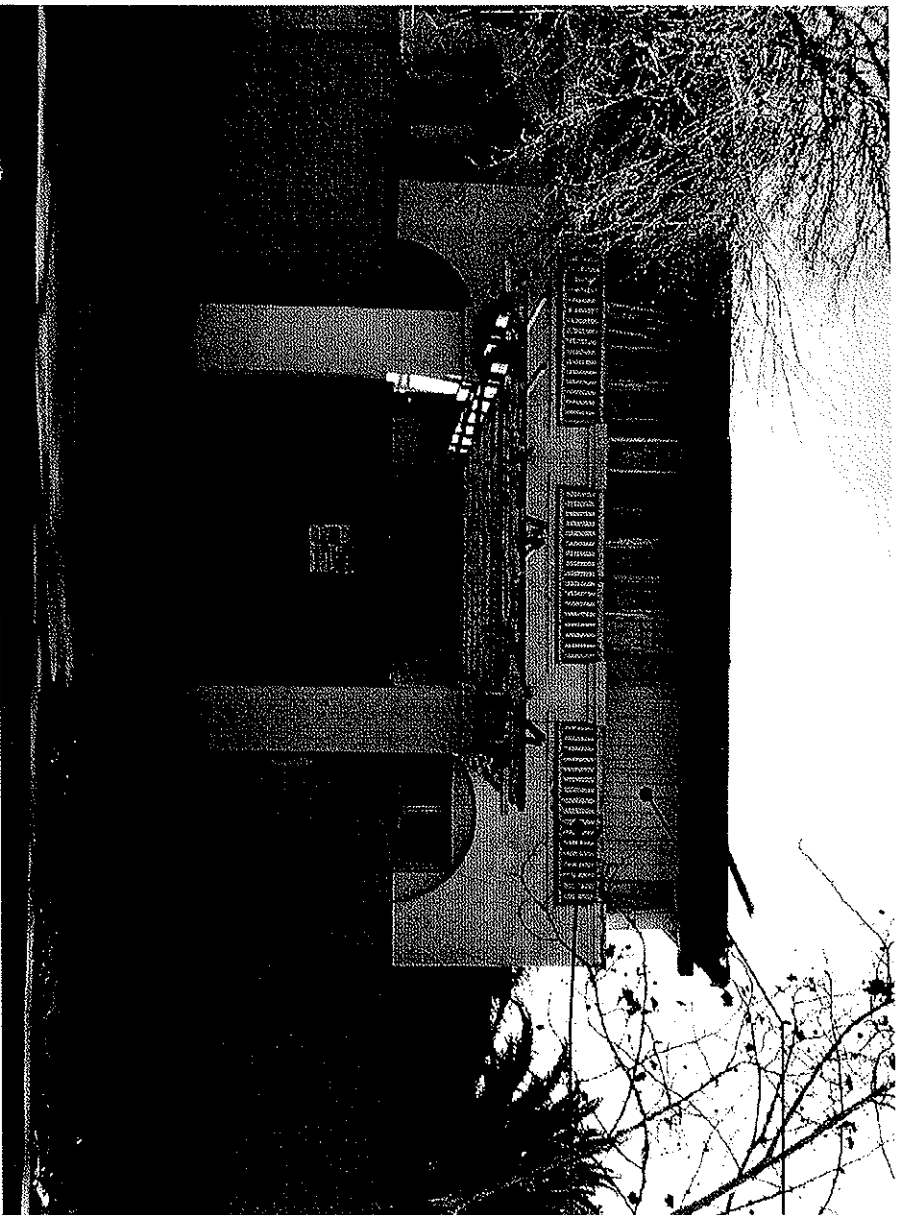
# SECOND FLOOR DEMOLITION PLAN





— REMOVE 2ND STORY  
ADDITIONS

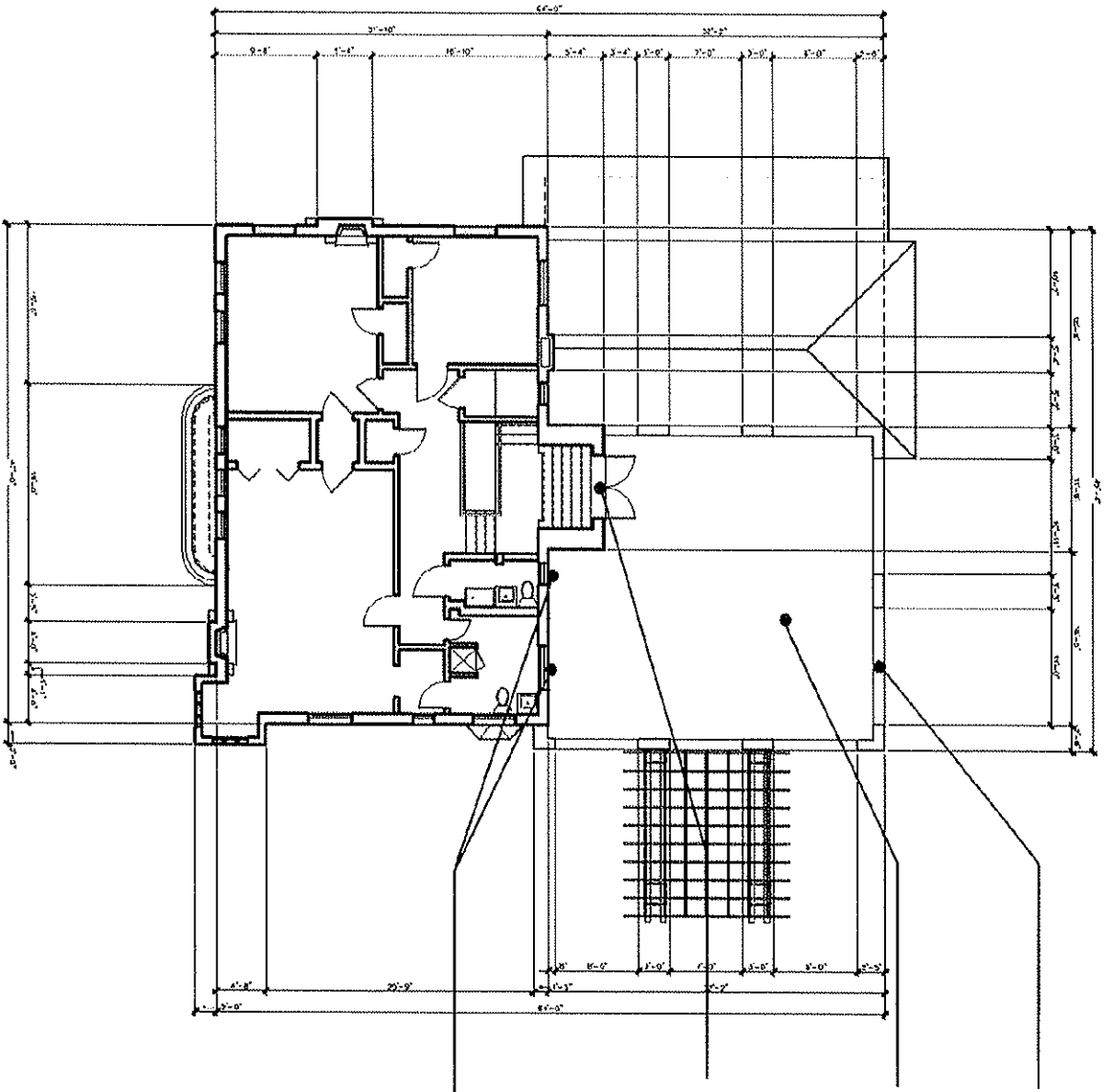
— REPAIR EXISTING WOOD  
BALCONY RAILINGS



REMOVE 2ND STORY  
ADDITION

REPAIR EXISTING WOOD  
RAILING





REPAIR EXISTING WOOD  
RAILINGS AT EDGE OF  
SUN DECK

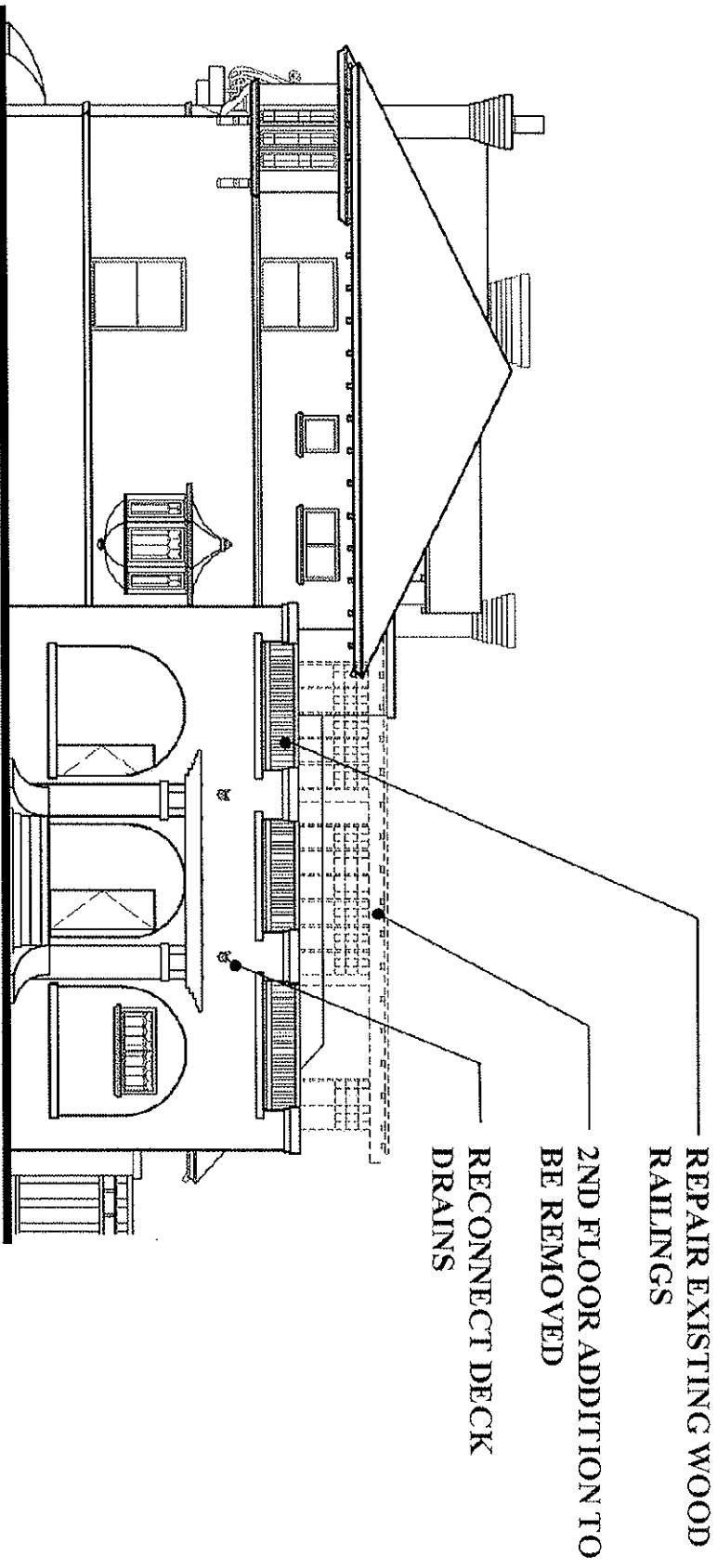
INSTALL WALKABLE  
WATERPROOF  
MEMBRANE AT SUN DECK

REINSTALL ORIGINAL  
DOORS AT ENTRANCE TO  
DECK

INSTALL NEW WOOD  
WINDOWS TO MATCH  
EXISTING AT INFILLED  
OPENINGS

# SECOND FLOOR PLAN



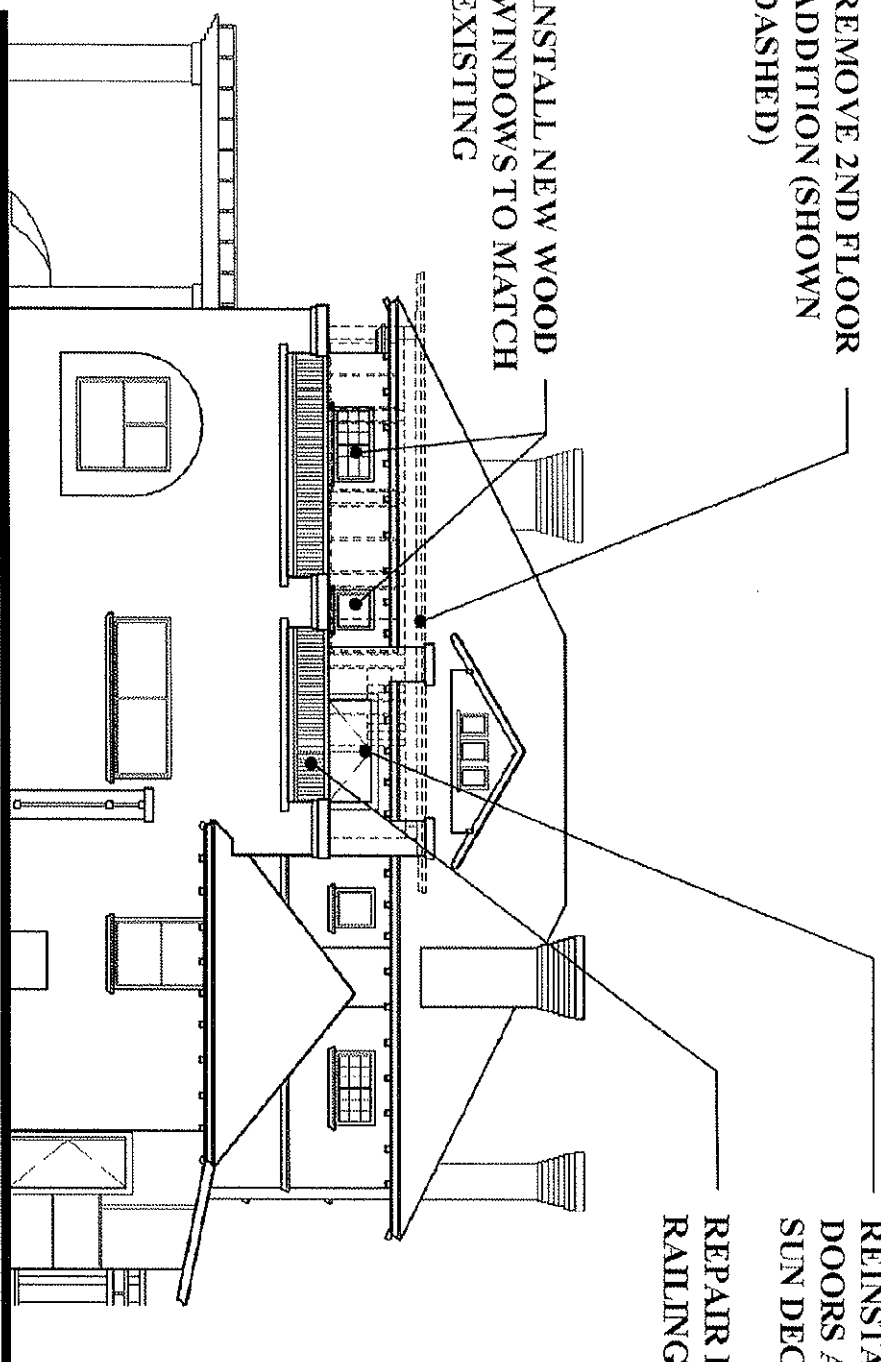


RIGHT ELEVATION

REMOVE 2ND FLOOR  
ADDITION (SHOWN  
DASHED)

INSTALL NEW WOOD  
WINDOWS TO MATCH  
EXISTING

REINSTALL ORIGINAL  
DOORS AT ENTRANCE TO  
SUN DECK  
REPAIR EXISTING WOOD  
RAILINGS



REAR ELEVATION

ITEM II: REMOVE INFILL  
WALLS AT SIDNEYARD  
PORCH

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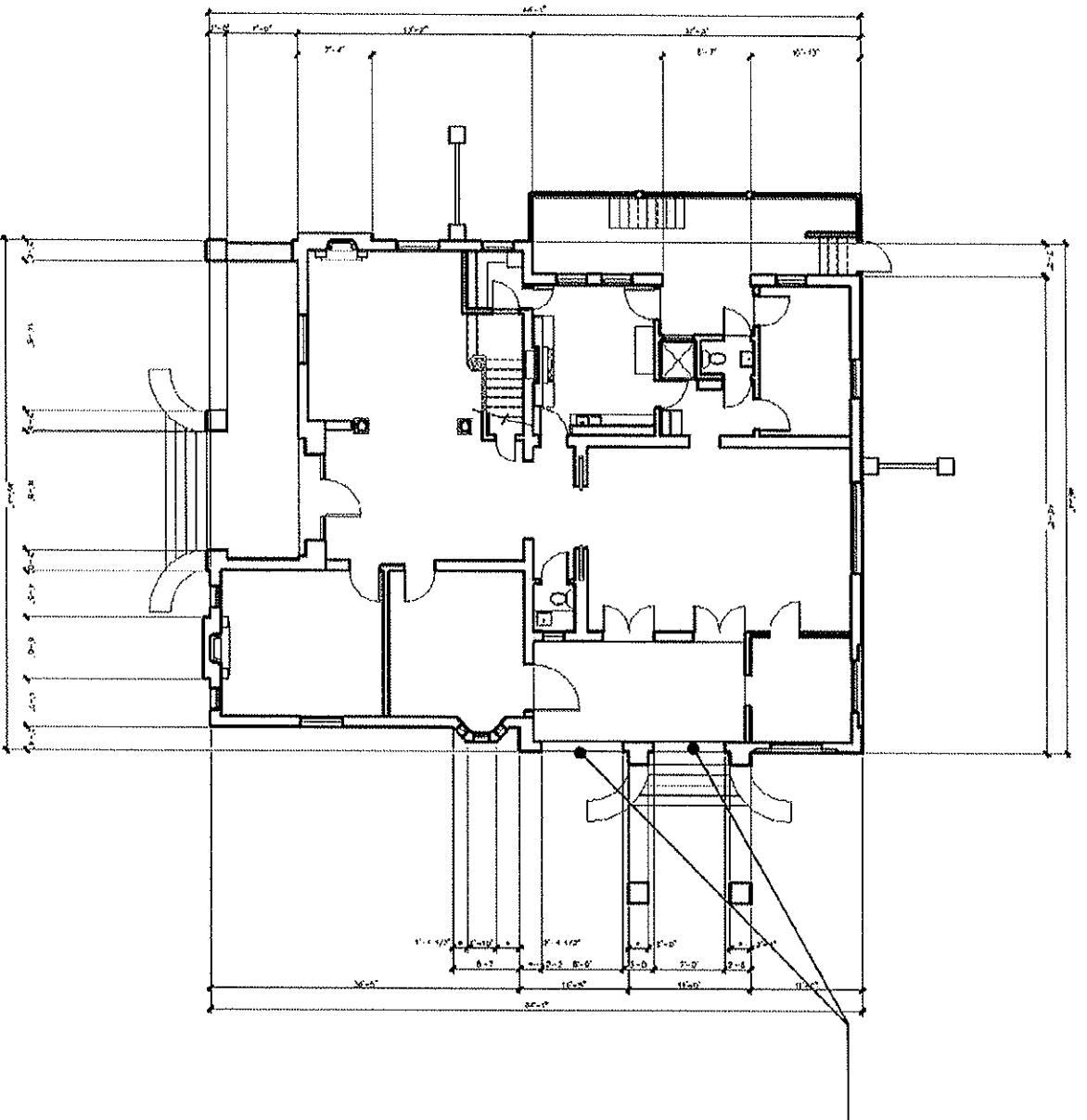
T H E  
VINCENT  
COMPANY  
ARCHITECTS, INC.

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THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA





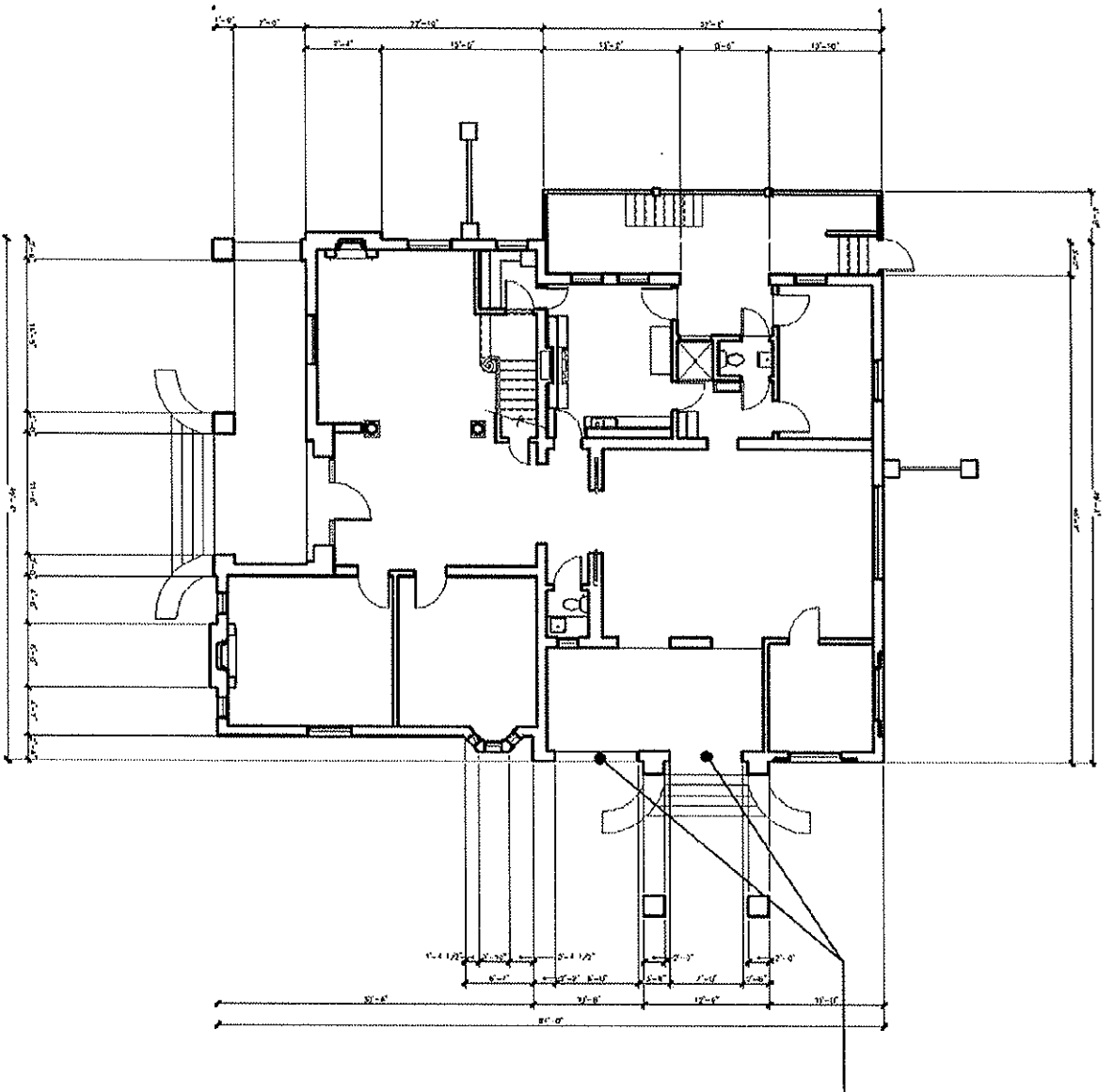
EXISTING INFILL  
FRAMING AT ARCHES TO  
BE REMOVED AND  
FINISHES REPAIRED

# GROUND FLOOR DEMOLITION PLAN



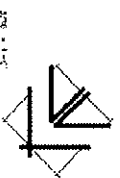


REMOVE INFILL  
FRAMING AT ARCH  
OPENINGS AND REPAIR  
FINISHES

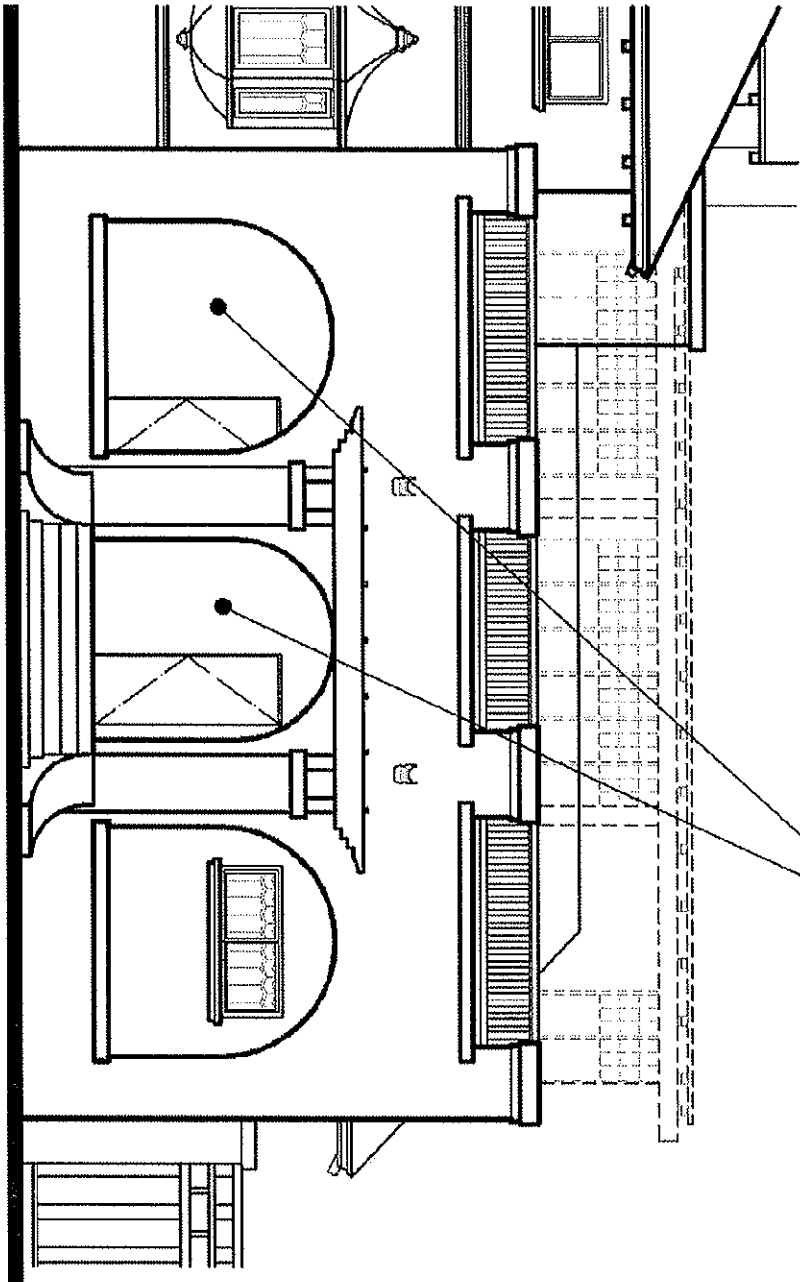


REPAIR FINISHES AT  
EXPOSED PORCH  
ARCHES

# GROUND FLOOR PLAN



REPAIR FINISHES AT  
EXISTING ARCH OPENINGS



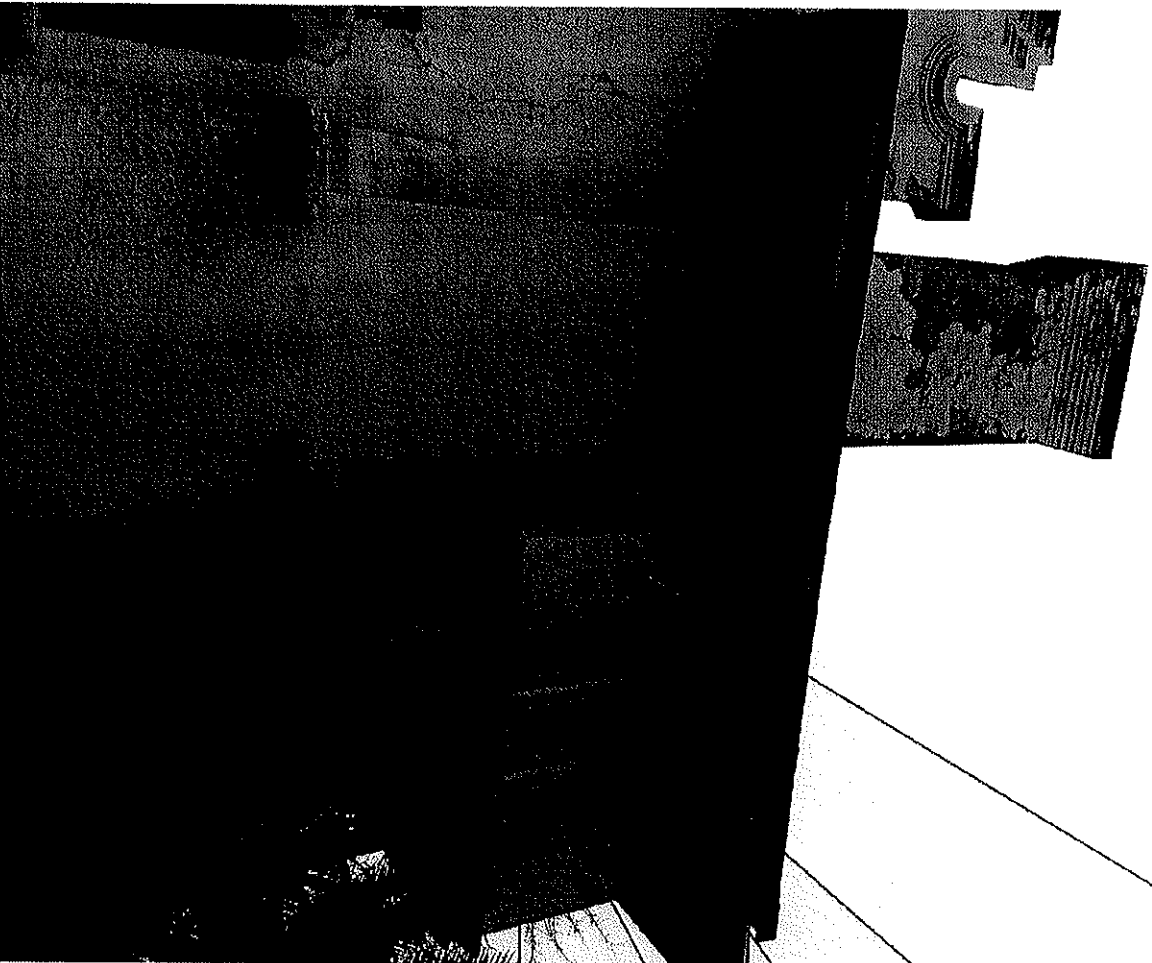


ITEM III: BAY WINDOW  
STRUCTURAL REPAIR

T H E  
VINCENT  
COMPANY  
ARCHITECT'S, INC.

THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA



REMOVE EXISTING WALL  
FRAMING AS REQUIRED  
FOR INSTALLATION OF  
STEEL FRAME

REMOVE AND REPLACE  
LOWER ROOF FRAMING  
AT BAY WINDOW

REMOVE EXISTING  
WINDOWS AND SALVAGE  
FOR RE-INSTALLATION

REMOVE EXISTING  
TRIM AND SALVAGE FOR  
RE-INSTALLATION

REMOVE EXISTING CORBAL  
TRIM AND SALVAGE FOR  
RE-INSTALLATION



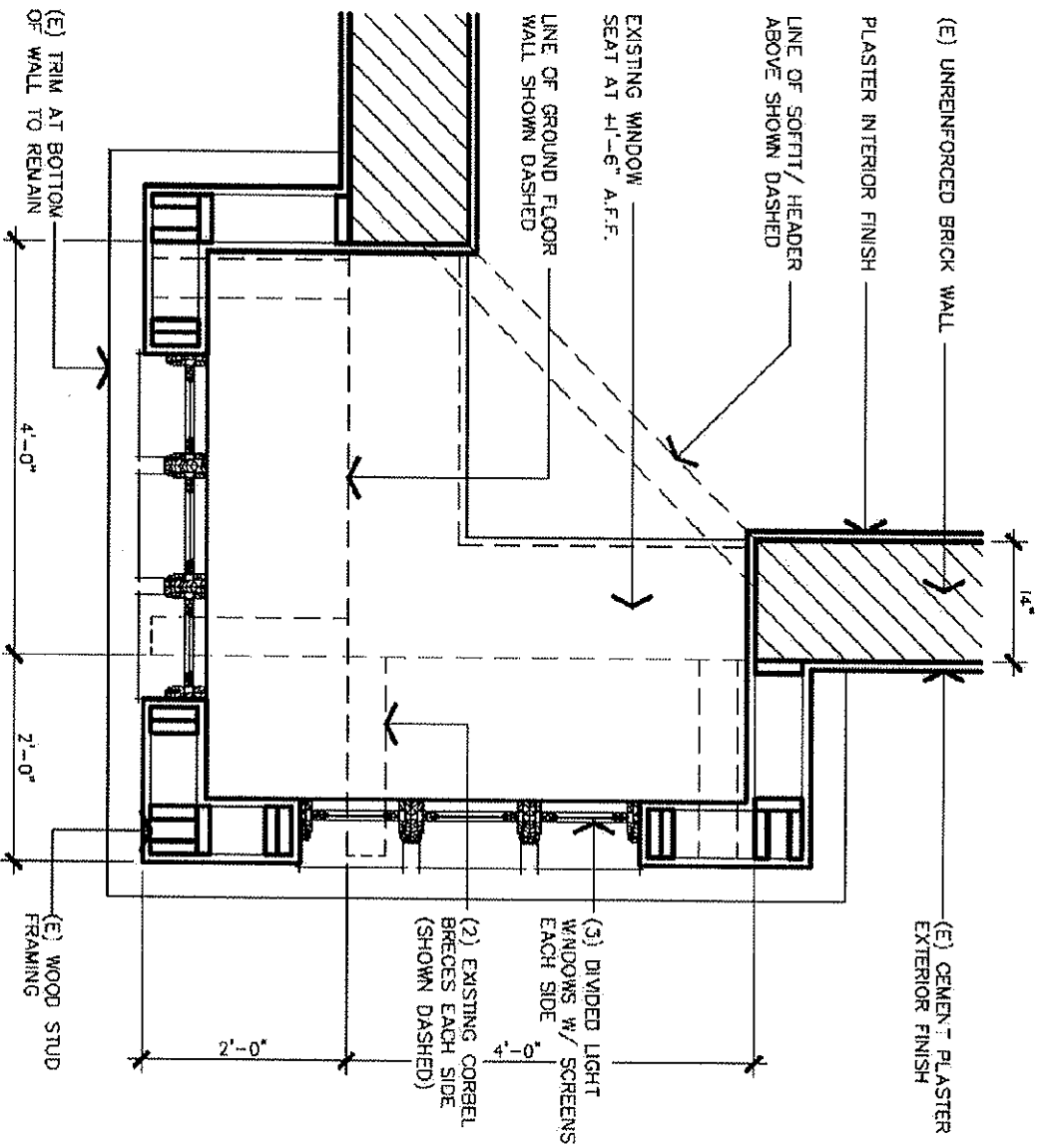
REMOVE EXISTING WALL  
FRAMING AS REQUIRED  
FOR INSTALLATION OF  
STEEL FRAME

REMOVE AND REPLACE  
LOWER ROOF FRAMING  
AT BAY WINDOW

REMOVE EXISTING  
WINDOWS AND SALVAGE  
FOR RE-INSTALLATION

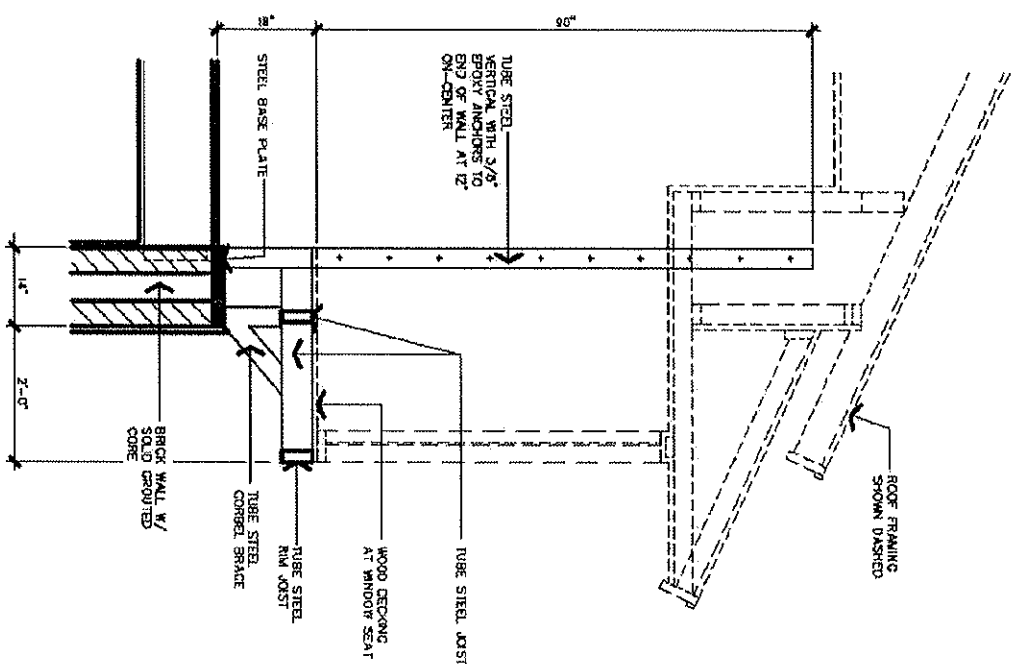
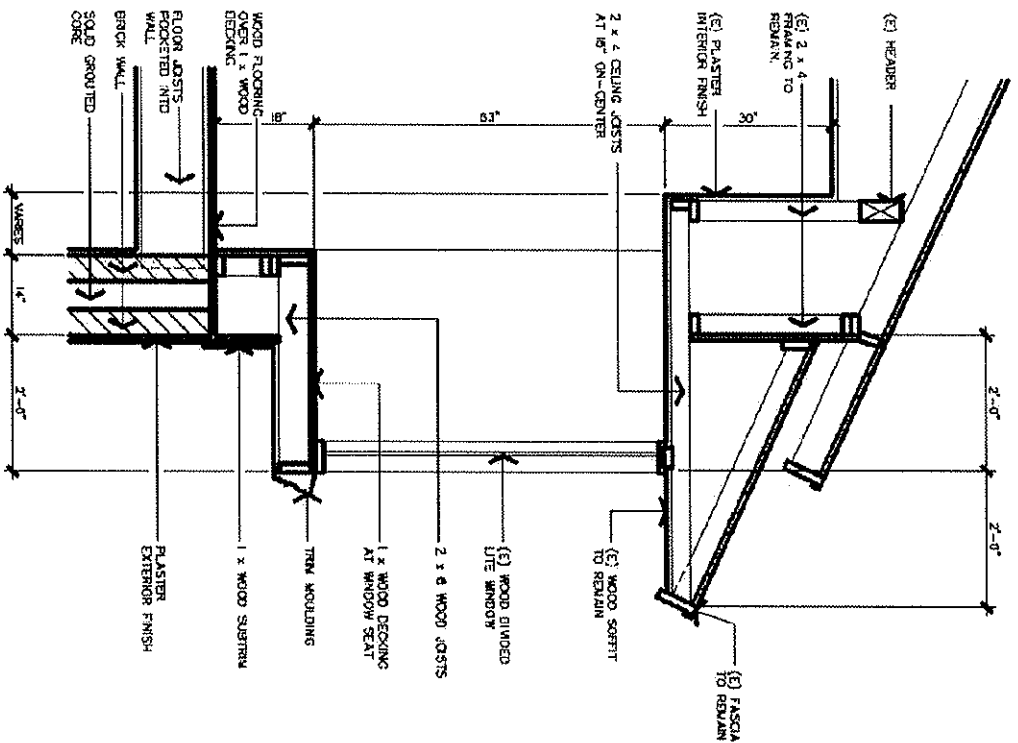
REMOVE EXISTING  
TRIM AND SALVAGE FOR  
RE-INSTALLATION

REMOVE EXISTING CORBAL  
TRIM AND SALVAGE FOR  
RE-INSTALLATION



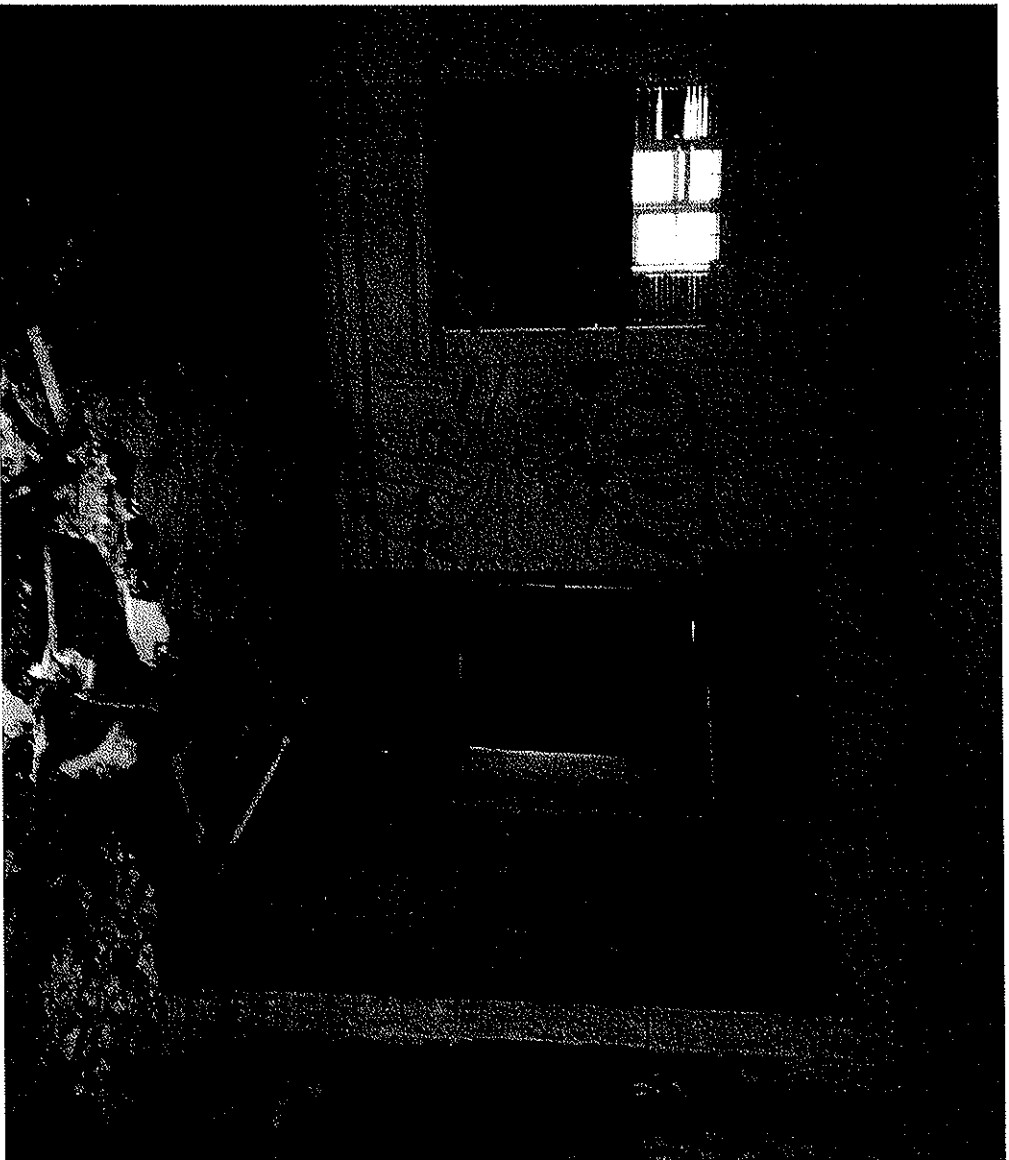
# EXISTING BAY WINDOW FRAMING





EXISTING BAY WINDOW  
SECTION

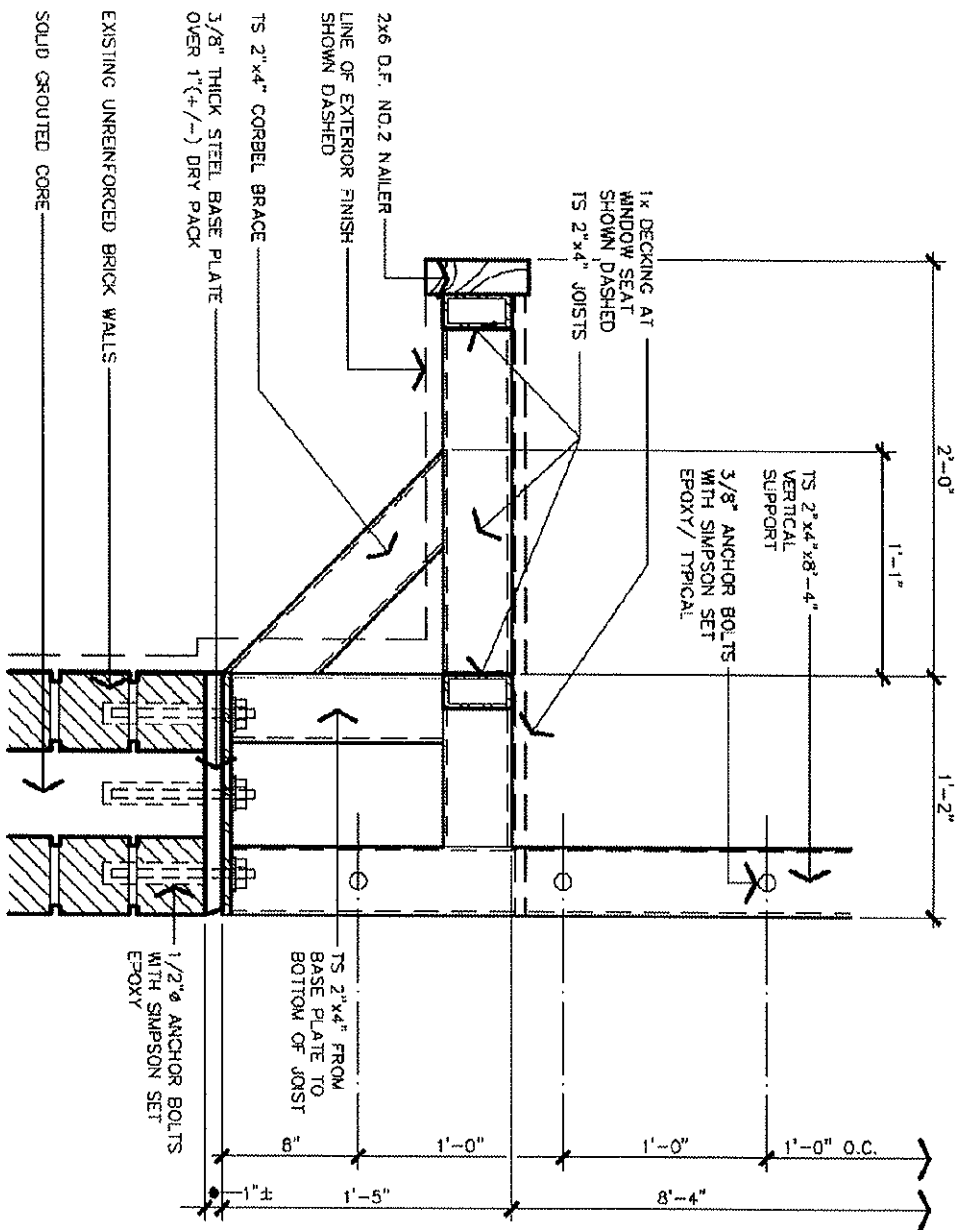
PROPOSED STEEL  
SUPPORT FRAME



WINDOWS SHALL BE  
REMOVED AND SALVAGED  
FOR RE-INSTALLATION

FRAMING TO BE  
REMOVED AS REQUIRED  
FOR THE INSTALLATION  
OF THE STEEL SUPPORT  
FRAME





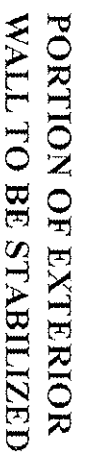
# STEEL SUPPORT FRAME DETAIL

ITEM IV: REPAIR OF  
EXTERIOR BRICK  
WALL

THE E  
VINCENT  
COMPANY  
ARCHITECT'S, INC.

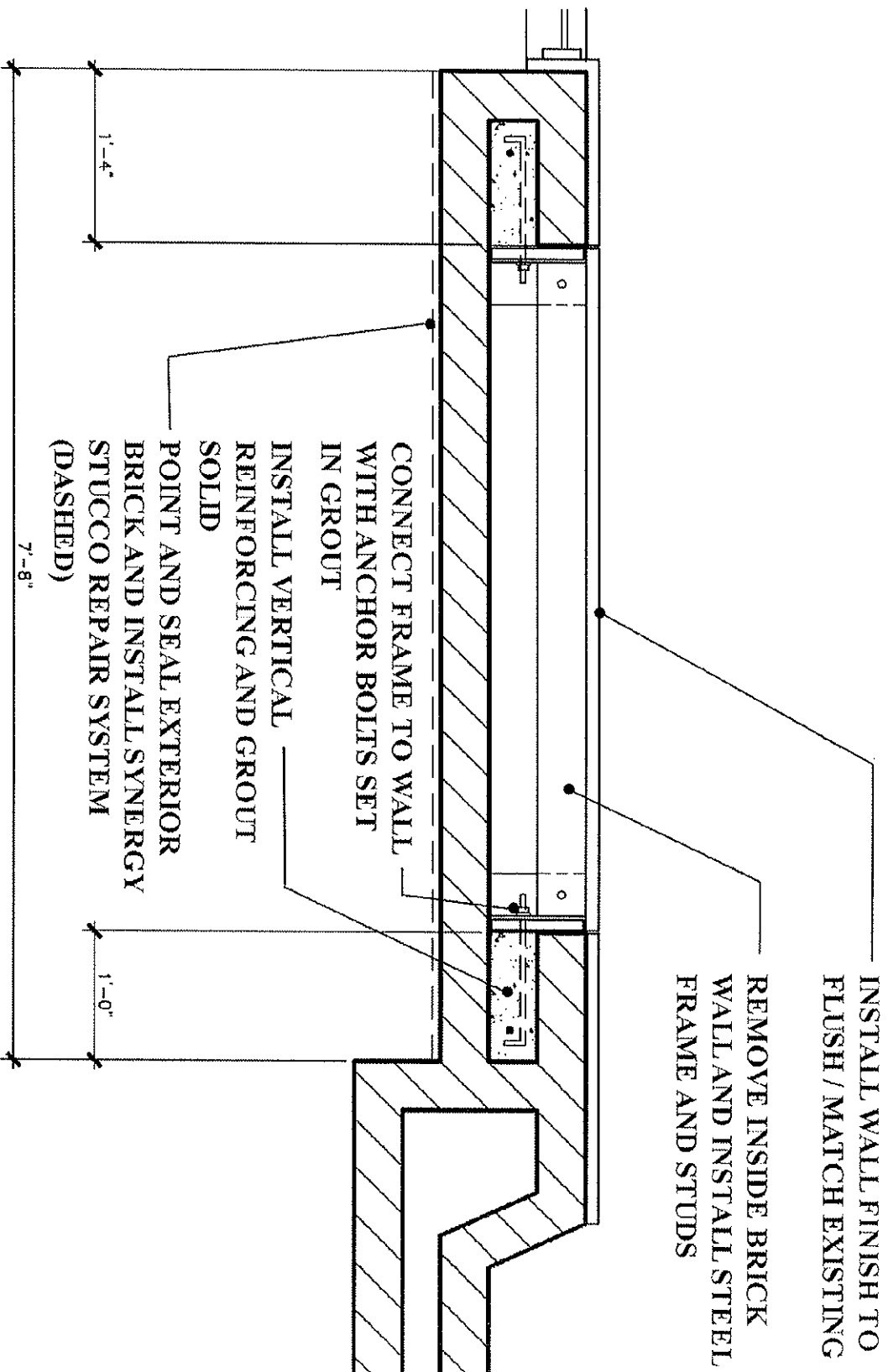
THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA

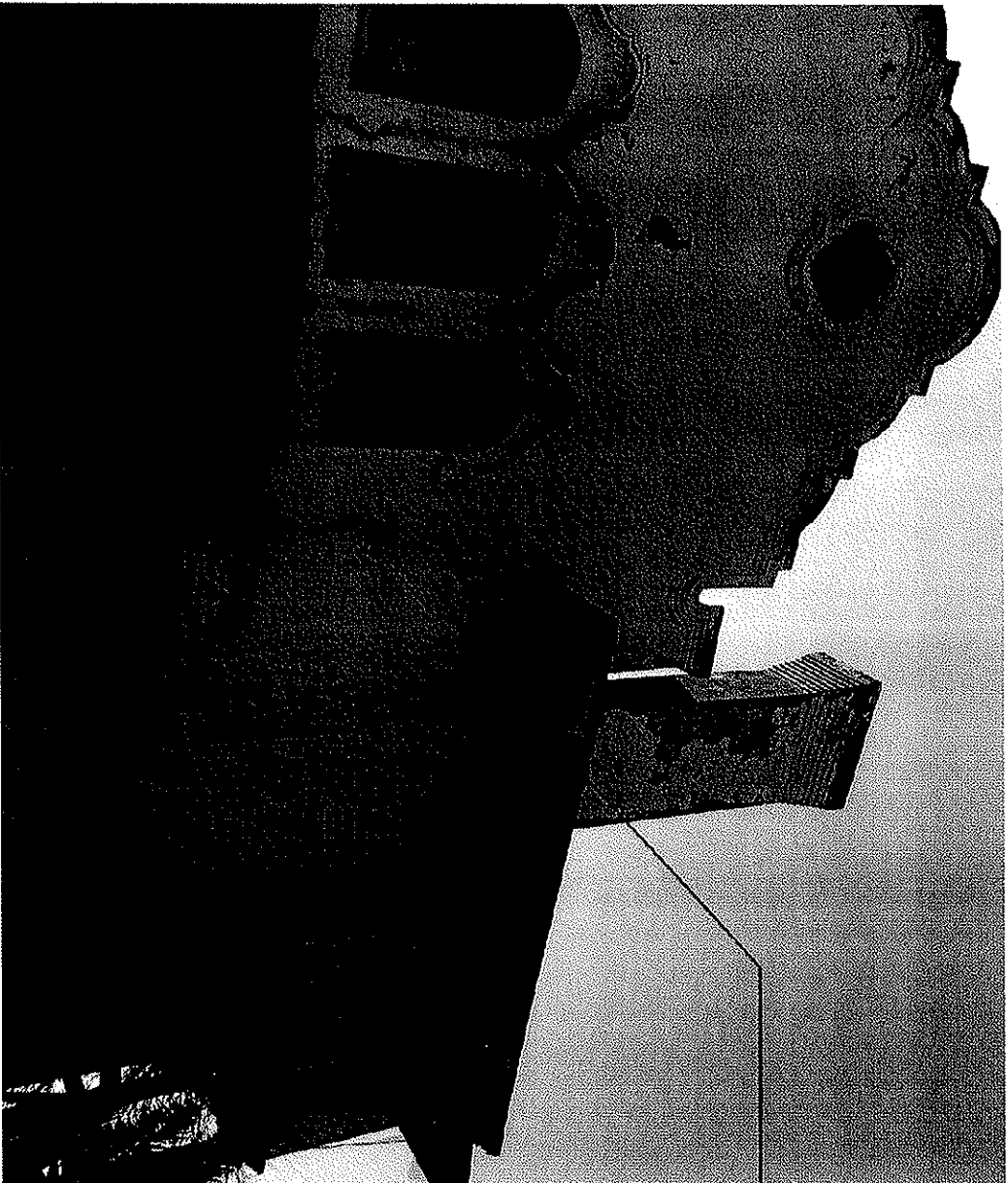


## SECOND FLOOR PLAN





# EXTERIOR SIDE OF WALL



REPAIR / SEAL CRACKS  
PRIOR TO INSTALLATION  
OF "SYNERGY" STUCCO  
REPAIR SYSTEM

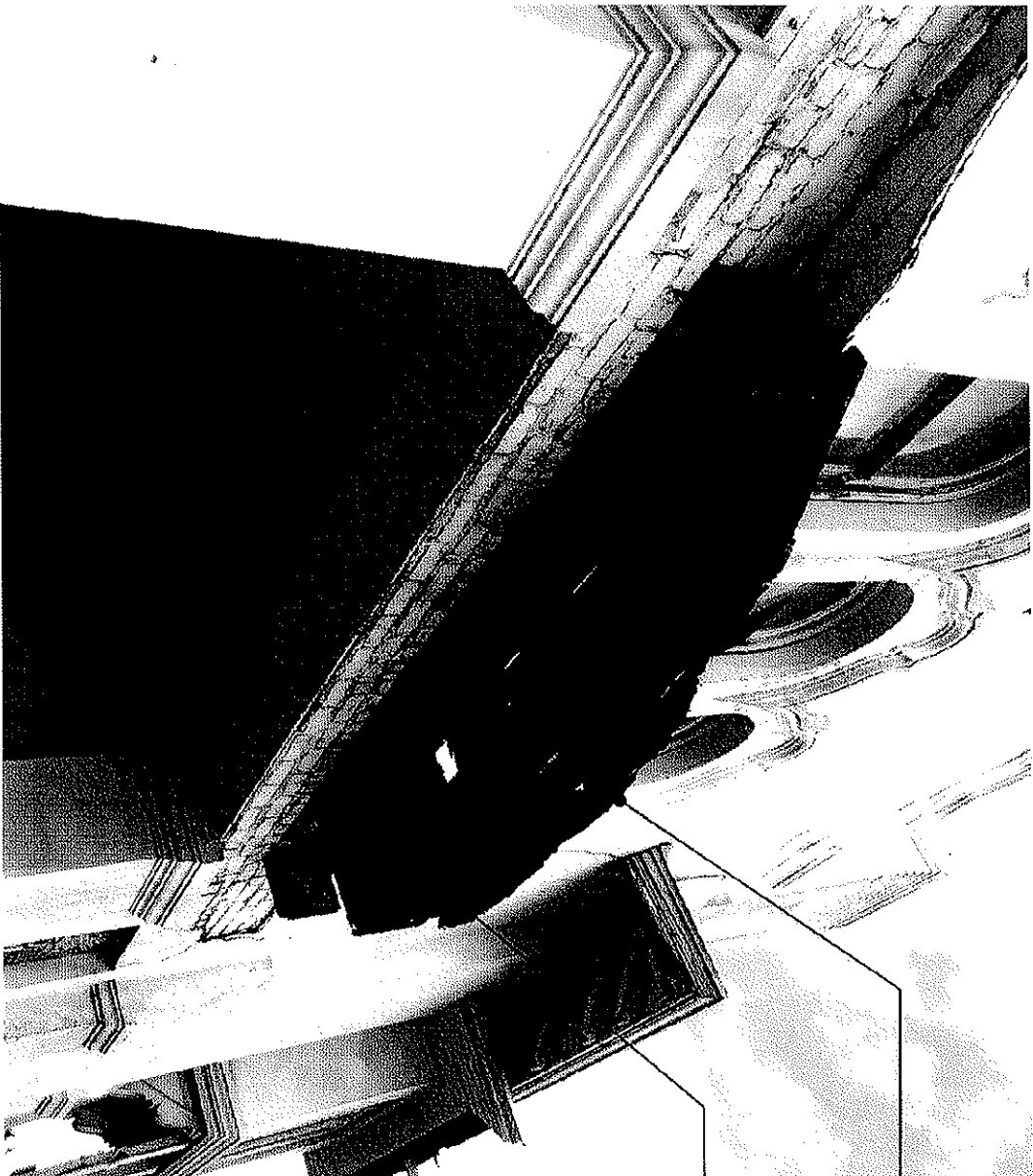


ITEM V: STRUCTURAL  
REPAIR OF “L” STREET  
BALCONY

T H E  
VINCENT  
COMPANY  
ARCHITECTS, INC.

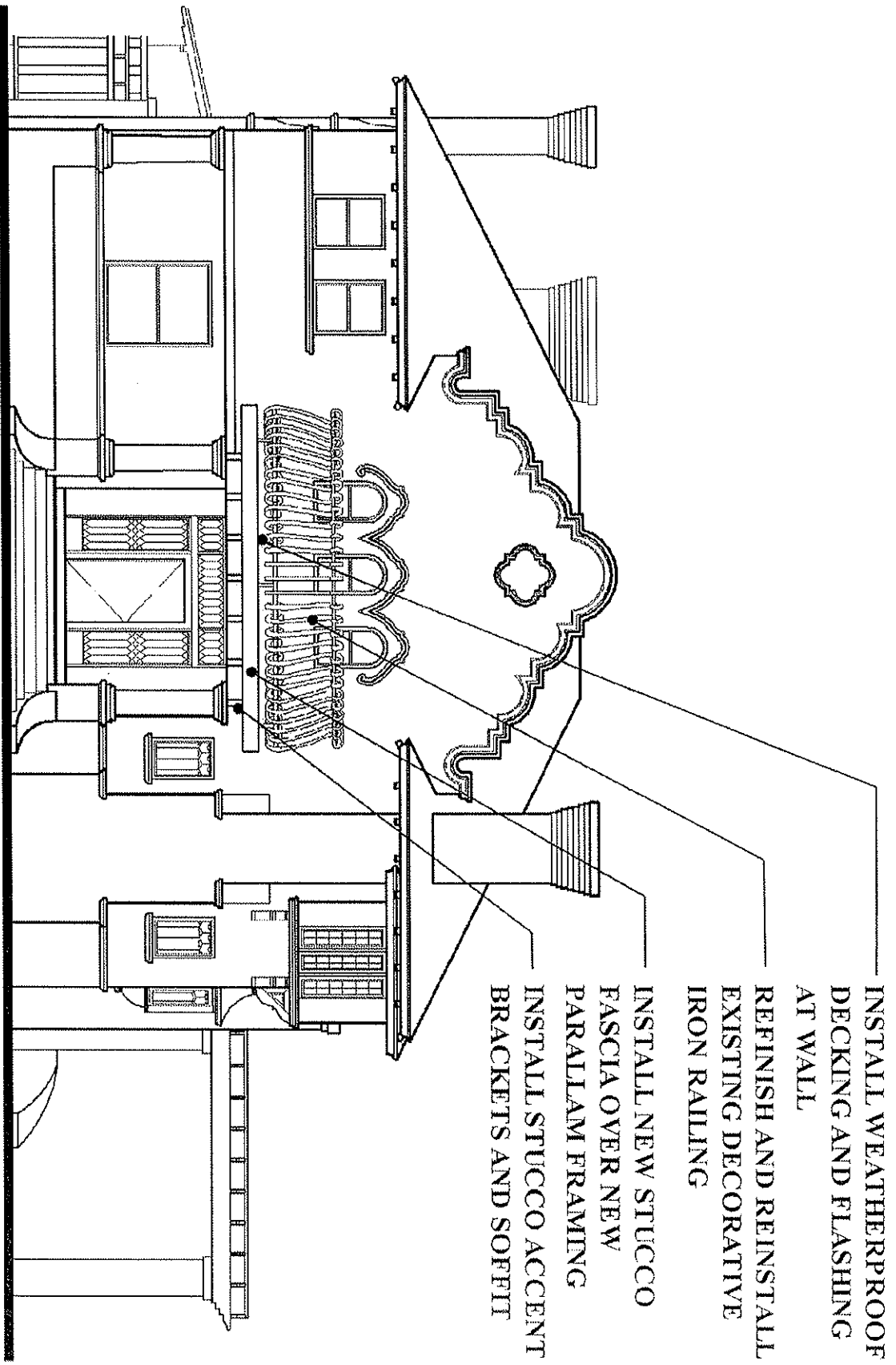
THE HELM HOUSE

1749 “L” STREET  
FRESNO, CALIFORNIA



REMOVE EXISTING  
DETERIORATED DECKING

REMOVE EXISTING  
DETERIORATED  
FRAMING MEMBERS



## FRONT ELEVATION

ITEM VI: STRUCTURAL REPAIR  
OF EXISTING BRICK  
ARCH

THE  
VINCENT  
COMPANY  
ARCHITECTS, INC.

THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA



2ND FLOOR ADDITION TO  
BE REMOVED

SHORE EXISTING FLOOR  
FRAMING. REMOVE AND  
RECONSTRUCT EXISTING  
BRICK ARCH.

REPAIR EXISTING  
PLASTER EXTERIOR  
FINISH TO FLUSH WITH  
EXISTING. INSTALL  
"SYNERGY" STUCCO  
REPAIR SYSTEM.

# ITEM VII: DEFERRED

MAINTENANCE-ROOF

FLASHINGS AND

DOWNSPOUTS

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T H E

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VINCENT

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COMPANY

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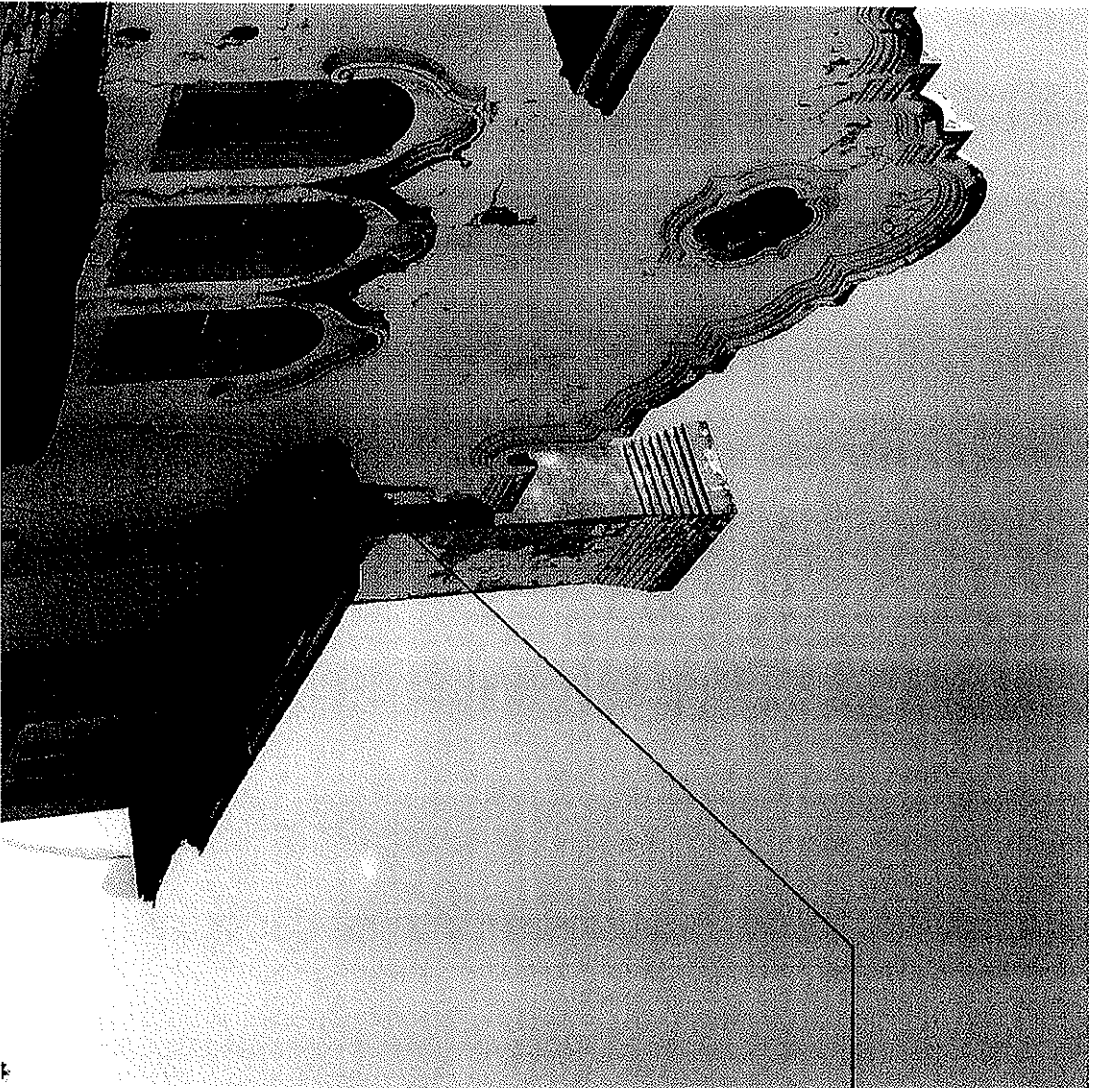
ARCHITECT'S, INC.

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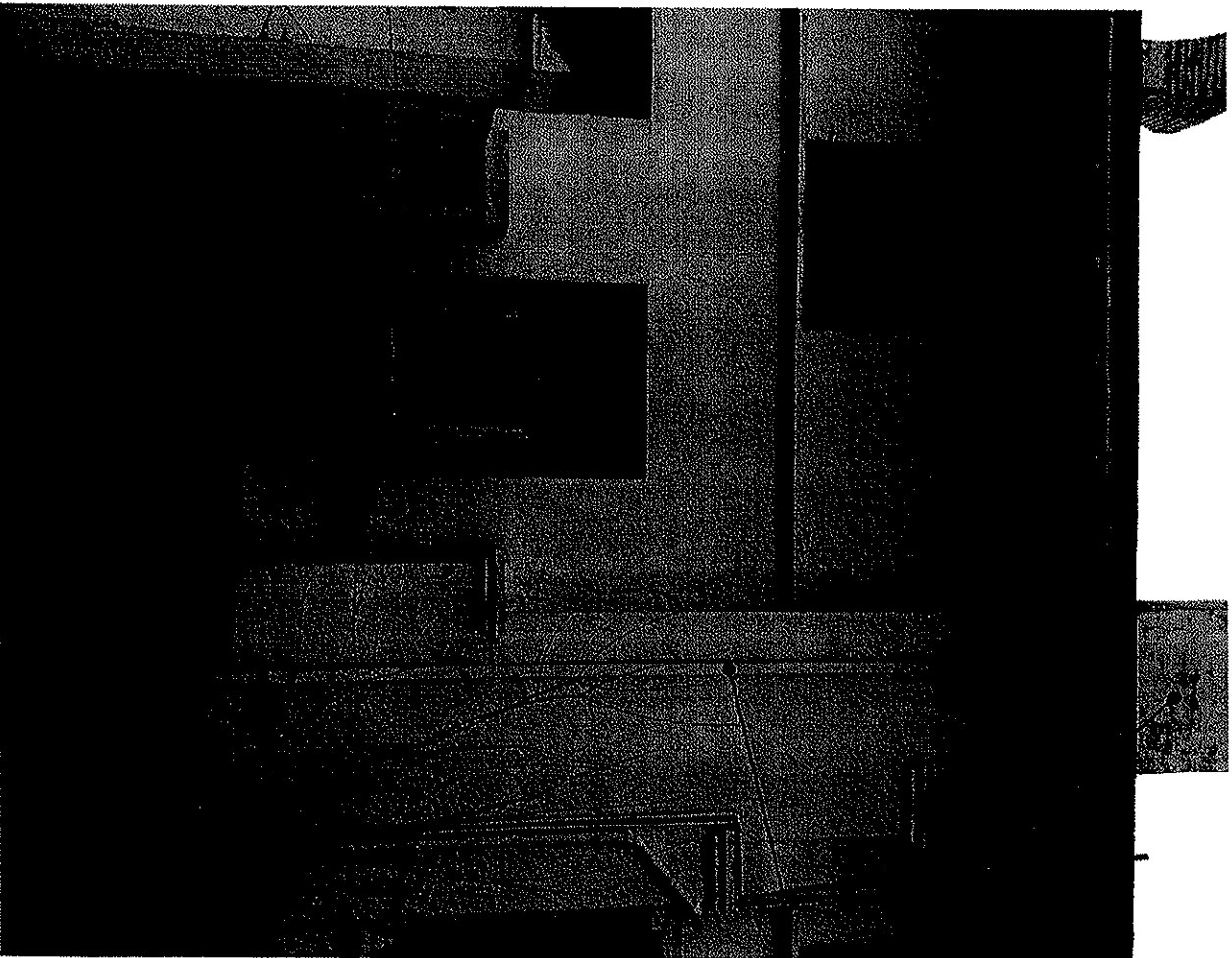
## THE HELM HOUSE

1749 "L" STREET

FRESNO, CALIFORNIA



INSTALL SHEET METAL  
COUNTER FLASHING AND  
SEALANT AT ROOF-TO-  
WALL JUNCTIONS



INSTALL SHEET METAL  
COUNTER FLASHINGS AT  
FIREPLACE FLUE ROOF  
PENETRATIONS  
VERIFY DOWNSPOUTS  
ARE CONNECTED, CLEAR  
AND SECURED



ITEM VIII: LANDSCAPE  
MAINTENANCE

T H E  
VINCENT  
COMPANY  
ARCHITECTS, INC.

THE HELM HOUSE

1749 "L" STREET  
FRESNO, CALIFORNIA



CUT BACK OVERGROWN  
LANDSCAPE MATERIALS



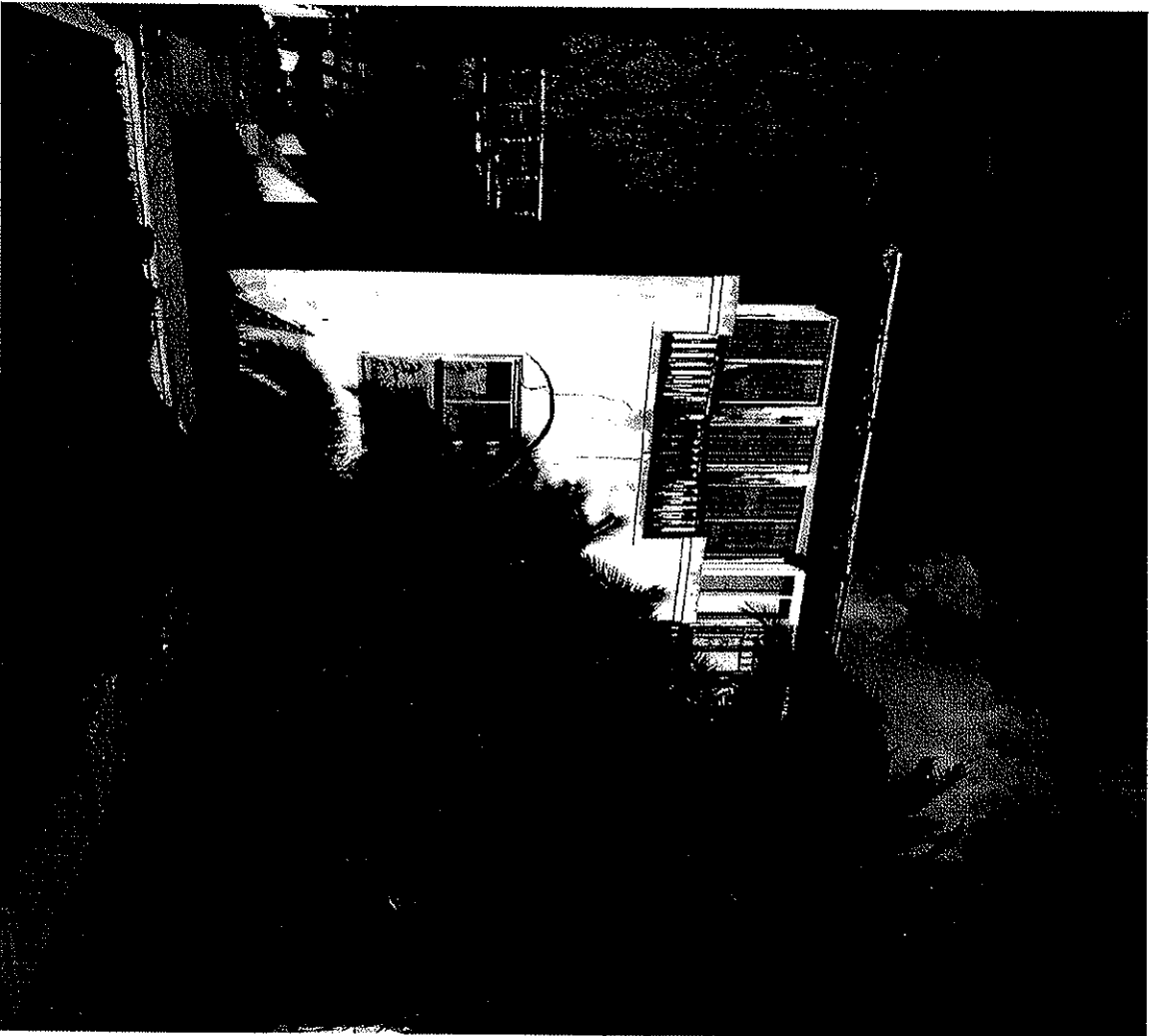
PRUNE / TRIM TREES AS  
RECOMMENDED BY A  
CERTIFIED ARBORIST



PRUNE / TRIM TREES AS  
RECOMMENDED BY A  
CERTIFIED ARBORIST



PRUNE / TRIM TREES AS  
RECOMMENDED BY A  
CERTIFIED ARBORIST



PRUNE / TRIM TREES AS  
RECOMMENDED BY A  
CERTIFIED ARBORIST

ITEM IX: SECURE THE  
BUILDING

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T H E  
VINCENT  
COMPANY  
ARCHITECTS, INC.

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THE HELM HOUSE

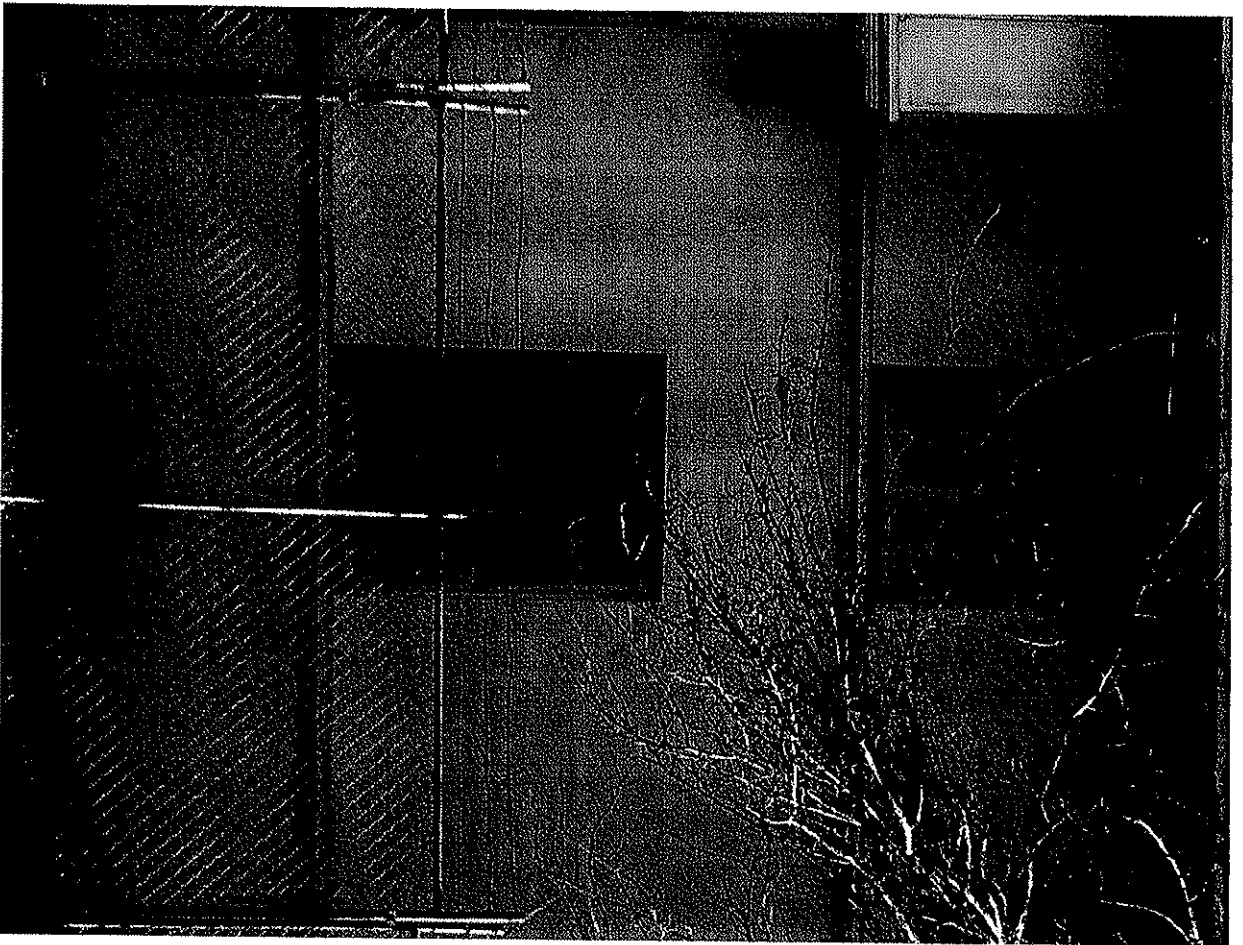
1749 "L" STREET  
FRESNO, CALIFORNIA



INSTALL PLYWOOD OVER  
EXTERIOR SIDE OF  
WINDOWS TO AVOID  
FURTHER DAMAGE

PROPERLY INSTALL  
PLYWOOD COVERINGS  
AT EXTERIOR WINDOWS





INSTALL PLYWOOD OVER  
EXTERIOR WINDOWS TO  
PROPERLY SECURE  
WINDOWS

## National Park Service, Interior

## § 68.2

owner in the Historic Preservation Certification Application, Request for Certification of Completed Work (NPS Form 10-168c), as follows:

Fee	Size of rehabilitation
\$500	\$20,000 to \$99,999
\$800	\$100,000 to \$499,999
\$1,500	\$500,000 to \$999,999
\$2,500	\$1,000,000 or more

If review of a proposed or ongoing rehabilitation project had been undertaken by the Secretary prior to submission of Request for Certification of Completed Work, the initial fee of \$250 will be deducted from these fees. No fee will be charged for rehabilitations under \$20,000.

(d) In general, each rehabilitation of a separate certified historic structure will be considered a separate project for purposes of computing the size of the fee.

(1) In the case of a rehabilitation project which includes more than one certified historic structure where the structures are judged by the Secretary to have been functionally related historically to serve an overall purpose, the fee for preliminary review is \$250 and the fee for final review is computed on the basis of the total rehabilitation costs.

(2) In the case of multiple building projects where there is no historic functional relationship among the structures and which are under the same ownership; are located in the same historic district; are adjacent or contiguous; are of the same architectural type (*e.g.*, rowhouses, loft buildings, commercial buildings); and are submitted by the owner for review at the same time, the fee for preliminary review is \$250 per structure to a maximum of \$2,500 and the fee for final review is computed on the basis of the total rehabilitation costs of the entire multiple building project to a maximum of \$2,500. If the \$2,500 maximum fee was paid at the time of review of the proposed or ongoing rehabilitation project, no further fee will be charged for review of a Request for Certification of Completed Work.

## PART 68—THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

Sec.

68.1 Intent.

68.2 Definitions.

68.3 Standards.

**AUTHORITY:** The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*); sec. 2124 of the Tax Reform Act of 1976, 90 Stat. 1918; EO 11593, 3 CFR part 75 (1971); sec. 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

**SOURCE:** 60 FR 35843, July 12, 1995, unless otherwise noted.

### § 68.1 Intent.

The intent of this part is to set forth standards for the treatment of historic properties containing standards for preservation, rehabilitation, restoration and reconstruction. These standards apply to all proposed grant-in-aid development projects assisted through the National Historic Preservation Fund. 36 CFR part 67 focuses on "certified historic structures" as defined by the IRS Code of 1986. Those regulations are used in the Preservation Tax Incentives Program. 36 CFR part 67 should continue to be used when property owners are seeking certification for Federal tax benefits.

### § 68.2 Definitions.

The standards for the treatment of historic properties will be used by the National Park Service and State historic preservation officers and their staff members in planning, undertaking and supervising grant-assisted projects for preservation, rehabilitation, restoration and reconstruction. For the purposes of this part:

(a) *Preservation* means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of

mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

(b) *Rehabilitation* means the act or process of making possible an efficient compatible use for a property through repair, alterations and additions while preserving those portions or features that convey its historical, cultural or architectural values.

(c) *Restoration* means the act or process of accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

(d) *Reconstruction* means the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

#### § 68.3 Standards.

One set of standards—preservation, rehabilitation, restoration or reconstruction—will apply to a property undergoing treatment, depending upon the property's significance, existing physical condition, the extent of documentation available and interpretive goals, when applicable. The standards will be applied taking into consideration the economic and technical feasibility of each project.

(a) *Preservation*. (1) A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

(2) The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces and spatial relationships

that characterize a property will be avoided.

(3) Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.

(4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(6) The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color and texture.

(7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(b) *Rehabilitation*. (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

(3) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

(4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(5) Distinctive materials, features, finishes and construction techniques or

examples of craftsmanship that characterize a property will be preserved.

(6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(c) *Restoration.* (1) A property will be used as it was historically or be given a new use that interprets the property and its restoration period.

(2) Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.

(3) Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.

(4) Materials, features, spaces and finishes that characterize other histor-

ical periods will be documented prior to their alteration or removal.

(5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.

(6) Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.

(7) Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

(8) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(9) Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(10) Designs that were never executed historically will not be constructed.

(d) *Reconstruction.* (1) Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.

(2) Reconstruction of a landscape, building, structure or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts that are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.

(3) Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.

(4) Reconstruction will be based on the accurate duplication of historic

features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

(5) A reconstruction will be clearly identified as a contemporary recreation.

(6) Designs that were never executed historically will not be constructed.

## PART 71—RECREATION FEES

### Sec.

- 71.1 Application.
- 71.2 Types of Federal recreation fees.
- 71.3 Designation.
- 71.4 Posting.
- 71.5 Golden Eagle Passport.
- 71.6 Golden Age Passport.
- 71.7 Entrance fees for single-visit permits.
- 71.8 Validation and display of entrance permits.
- 71.9 Establishment of recreation use fees.
- 71.10 Special recreation permits and special recreation permit fees.
- 71.11 Collection of Federal recreation fees.
- 71.12 Enforcement.
- 71.13 Exceptions, exclusions, and exemptions.
- 71.14 Public notification.
- 71.15 The Golden Eagle Insignia.

AUTHORITY: Sec. 4, Land and Water Conservation Fund Act of 1965 (16 U.S.C.A. 4601-6a (Supp., 1974)), as amended by Pub. L. 93-303; and sec. 3, Act of July 11, 1972, 86 Stat. 461; sec. 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

SOURCE: 39 FR 33217, Sept. 16, 1974. Redesignated at 44 FR 7143, Feb. 6, 1979, and 46 FR 34329, July 1, 1981; correctly redesignated at 46 FR 43045, Aug. 26, 1981, unless otherwise noted.

### § 71.1 Application.

This part is promulgated pursuant to section 4, Land and Water Conservation Fund Act of 1965, 16 U.S.C.A. 4601-6a (Supp., 1974), and section 3, Act of July 11, 1972, 86 Stat. 461. Any Federal recreation fee charged by any bureau of the Department of the Interior shall be charged according to criteria set forth in this part.

### § 71.2 Types of Federal recreation fees.

There shall be three types of Federal recreation fees:

(a) Entrance fees, charged either on an annual or single-visit basis, for admission to any Designated Entrance Fee Area;

(b) Daily recreation use fees for the use of specialized sites, facilities, equipment or services furnished at Federal expense; and

(c) Special recreation permit fees for specialized recreation uses, such as, but not limited to, group activities, recreation events, and the use of motorized recreation vehicles.

### § 71.3 Designation.

(a) An area or closely related group of areas shall be designated as an area at which entrance fees shall be charged (hereinafter "Designated Entrance Fee Area") if the following conditions are found to exist concurrently:

(1) The area is a unit of the National Park System administered by the Department of the Interior;

(2) The area is administered primarily for scenic, scientific, historical, cultural, or recreation purposes;

(3) The area has recreation facilities or services provided at Federal expense; and

(4) The nature of the area is such that entrance fee collection is administratively and economically practical.

(b) Any specialized site, facility, equipment or service related to outdoor recreation (hereinafter "facility") shall be designated as a facility for which a recreation use fee shall be charged (hereinafter "Designated Recreation Use Facility") if:

(1) For each Designated Recreation Use Facility, at least one of the following criteria is satisfied:

(i) A substantial Federal investment has been made in the facility.

(ii) The facility requires regular maintenance.

(iii) The facility is characterized by the presence of personnel, or

(iv) The facility is utilized for the personal benefit of the user for a fixed period of time; and,

(2) For each Designated Recreation Use Facility, all of the following criteria are satisfied:

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
FOR STABILIZATION AND MOTHBALLING OF THE HELM HOME (HP#112)**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY  
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS  
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

**APPLICANT:** Housing Authorities of the City and County of Fresno  
1331 Fulton Mall Fresno, CA 93721

**PROJECT LOCATION:** 1749 L Street (APN: 466-132-01T)

**PROJECT DESCRIPTION:** Applicant is requesting to stabilize and mothball the Helm Home, a designated historic property on Fresno's Local Register of Historic Resources, until funding is available to fully rehabilitate the property for use. The proposal is consistent with the Restoration Treatment of the Secretary of Interior's Standards for the Treatment of Historic Buildings as required under the City's Historic Preservation Ordinance (FMC 12-1617(h)(1)).

This project is exempt under Section 15331 (Class 31/Historic Resource Restoration/Rehabilitation), and Section 15301 (Class 1/Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

**EXPLANATION:** Section 15331 (Class 31/Historic Resource Restoration/Rehabilitation), applies to projects that are limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. It has been found by the Historic Preservation Commission, with advice from the City's Historic Preservation Specialist, an individual meeting the Professional Qualifications Standards for Historic Preservation from the Secretary of the Interior's Standards and Guidelines as published in the Code of Federal Regulations, 36 CFR Part 61, that the proposed project is consistent with the Sec'y of Interior's Standards for the Treatment of Historic Properties.

Section 15301 (Class 1/Existing Facilities) is applicable to projects that consist of minor interior and exterior alterations. It has been determined by the Historic Preservation Commission that this Project is a minor rehabilitation, repair, and demolition of a existing facility because the proposed project will have a negligible affect on reducing or expanding the possible use of the subject building.

Date: February 28, 2011

Prepared By: Karana Hattersley-Drayton, M.A.  
Historic Preservation Project Manager

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